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MISCELLANY

OF

THE SPALDING CLUB.

ABERDEEN : PRINTED BY WILLIAM BENNETT.

THE

MISCELLANY

OF

THE SPALDING CLUB.

VOLUME THIRD.

ABERDEEN:
PRINTED FOR THE CLUB.
M DCCC XLVI.

Presented to the Spalding Club,

BY

THE VISCOUNT ARBUTHNOTT.
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The Editor's Preface.

THE contents of the following sheets do not seem to require much prefatory remark. The plan of the Work generally is the same with that followed in the previous Volumes of The Club's Miscellanies; and a few words of explanation on the several papers printed in the subsequent pages, are all that appear to be called for in this place

I. Letters of Lord Grange.

The Honourable James Erskine—better known in Scotland by his judicial style of Lord Grange—was the immediate younger brother of John, Earl of Marr, the leader of the rising in behalf of the Stuarts, in the year 1715. He was born in the year 1679, and, having been called to the Scottish bar in 1705, was two years afterwards raised to the bench of the Court of Session. In the year 1710, his brother's influence with the Tory ministry of the day served to secure for him the office of Lord Justice Clerk,[1] which he kept until the death of Queen Anne, in 1714. He took no share in the Jacobite enterprise of the subsequent year which led to the forfeiture of his brother, and the loss ultimately of the last

[1] Carstare's State Papers, pp. 787—789.

remains of the once great inheritance in the North from which the family took its title. Lord Grange, on the other hand, affected to be a zealous Presbyterian, and a devoted adherent of the House of Hanover; and as such he figures prominently in the Diary or Analecta of the industrious Wodrow, supplying that writer with shreds of the Court gossip which he loved so dearly,[1] taking a conspicuous part in the proceedings of the General Assembly,[2] or discussing abstruse questions of theology with the leading divines of the Kirk.[3] The honesty of his professions, both in religion and politics, did not escape question: on one occasion we find him complaining "that he was extremely abused by not a few at Edinburgh, and represented as a hypocrite and pretender to religion, as a Jacobite and in the same bottome with his brother, the Earl of Mar, and spoken of very much for his visiting his cousine, Mrs. Baderston;"[4] and on another he informs his correspondent that placards had been affixed on his door, at the Market Cross, and on the gates of the Assembly of the Kirk, demanding to know "whither my Lord Grange be a Jesuit or not? whither he be a pensioner of the Pope? whither he can answer these queries? and whither, if he answer them, he ought to be believed?"[5] This is no place for discussing the justice of these imputations, and the confidential letters which are now printed must be left to speak for themselves as to the writer's sincerity. They certainly contain no evidence of partiality to the cause of the exiled Royalists; but it may be permitted to doubt how far they are in all places consistent with the character of devotion which Lord Grange was so anxious to maintain. Honest Wodrow would probably have somewhat modified his opinion of his lordship, had he been permitted to read his sneers at "the usual honesty of clergymen in the Church judicatorys, running headlong against the weak, and servilely crouching to the prevailing."[6]

[1] Wodrow's Analecta, vol. ii. p. 376; vol. iii. pp. 457—460; vol. iv. pp. 141—148.

[2] Id. vol. ii. p. 227; vol. iii. pp. 206, 358, 359, 498, 511; vol. iv. p. 254.

[3] "A.D. 1725. My Lord Grange tells me a strange passage which hapned in the time of the committy with Mr. Simson. One day, when they were waiting for Mr. Simson, and had sent for him to a sub-committy in my Lord's Chamber, to fill the field, my Lord proposed a question for conversation, Wherein the Spirit's proper work upon the soul did lye? or whither there was anything further necessary to be done by the Spirit for spirituall actions but the irradiations of spirituall light on the mind, and the strenthning of the mind to receive it? (Id. vol. iii. p. 207.)

[4] Id. vol. iii. p. 506.

[5] Id. vol. iii. p. 510.

[6] P. 27.

In the year 1734, Lord Grange resigned his seat on the Scottish Bench, in order that he might enter on the wider field of British politics in the great combination of parties which then began to press Sir Robert Walpole to his downfal. In this career, he met with considerable success, though it fell short of what his ambition had shaped out, his highest reward being the office of Secretary to the Prince of Wales. He died at London, on the 24th of January, 1754. Some of the letters now printed afford a curious picture of the state of parties at the time, and the political intrigues of Sir Robert Walpole and his Scotch allies.

Lord Grange is now chiefly remembered for the romantic story of his wife, which has long filled an interesting page in popular literature.[1] This unhappy lady was the daughter of that Chiesly of Dalry, who assassinated the Lord President of the Court of Session, in the streets of Edinburgh, on Sunday, the 31st of March, 1689.[2] Some portion of the father's violent temper appears to have descended to the daughter, and, aggravated by drunkenness,[3] rendered her marriage for many years miserable, and led at last, in the year 1730, to her formal separation from her husband. The annoyance which she still inflicted on him determined him to take measures for placing her in strict and secret confinement; and on the evening of the 22nd of January, 1732, she was suddenly seized by a party of Highlanders, and carried off from her residence in Edinburgh, under cloud of night. She was taken, in the first place, to Lord Lovat's country, and thence to the island of Hesker, where she remained two years, being removed at the end of that time to the remote islet of St. Kilda. Here she was detained for seven years, when tidings of her situation reaching her friends in Edinburgh, measures were taken for her release, which, though they failed of complete success, procured her removal to the less distant island of Harris, where she ended her days in May, 1745. The letters now printed must considerably impair the mystery of the reasons which led to the abduction of Lady Grange. They may be held conclusively to refute the supposition,[4] that the affair had any connection with the political intrigues of the period. The necessity of her seclusion was, indeed,

[1] It found a place in Boswell's Journal of a Tour to the Hebrides, published in the year 1785.

[2] An account of the murder, written four days after the event, is printed in the Miscellany of the Spalding Club, vol. ii. pp. 296, 297.

[3] Wodrow's Analecta, vol. iv. p. 165.

[4] Life of Dr Johnson, vol. ii. p. 451. Mr. Croker's edition.

confessed by her own friends,[1] who wished only that she might be placed in a situation where her health and comfort might be duly provided for. The Aberdeenshire seat of her daughter, the Countess of Kintore, seems at one time to have been suggested as a fit place for her residence,[2] but Keith-Hall missed this distinction, as at a later period it escaped the notoriety to which the last Earl Mareschal had destined it—of affording a refuge to a more widely celebrated monomaniac, Jean Jacques Rosseau.[3]

The letters of Lord Grange now submitted to the Club are printed from the originals in the possession of Captain Knight Erskine of Pittodrie. They were addressed to his lordship's kinsman, Thomas Erskine of Pittodrie, a gentleman of ancient blood and considerable estates in the Garioch, who took arms with his chief in the rising of 1715, and survived to lend the benefit of his counsels to the Jacobite captains of 1745, when age or prudence kept him from taking the field in person.[4]

II. The Book of the Annualrentaris of Aberdeen.

The original of this record, which is chiefly of local interest, is preserved among the Records of the Burgh of Aberdeen.

It was compiled under the provisions of an Act of the Convention of the Scotish Estates, held at Holyrood on the 28th of July, 1630. By this statute, in addition to the accustomed tax on lands, an extraordinary impost was ordered to be levied of the twentieth part free "of all annuelrents whilk anie person or persones within this kingdome hes freelie dew and payable to thame yeerelie, thair awin annuelrents whairin they ar addebted to others being first deduced." The contribution was declared payable by eight half-yearly instalments, beginning on the Feast of Martinmas, 1630; and the following regulations were prescribed for ascertaining the amount due by the inhabitants of the several shires and burghs:—

[1] P. 66.

[2] Pp. 63, 65.

[3] Mr. Burton's Life and Correspondence of David Hume, vol. ii. p. 106.

[4] The Miscellany of the Spalding Club, vol. i. pp. 483—420.

"And for the better tryell of euerie man his annuel rent whilk he has yeerelie or termelie dew to him It is ordained that this act sall be published at the mercat croce of Edinburgh and of the whole heid burrowes of the shirefdomes stewartries bailleries and regalitеis within this kingdom whairby all his Maiesties lieges may have trew notice thairof And thairwith all the saide Estaits wills commands and ordains all his Maiesties subjects that hes anie annual rents payable vnto thame that they compeir within the head burgh of the shirefdome stewartrie baillerie or regalitie or the head burgh in anie of these jurisdictiouns where the head courts ar holdin and where the saids annual renters dwells and hes thair ordinar residence in anie court day in ane of the twa last weekes immediatlie preceeding and in ane of the twa first weekes immediatlie following Witsonday and Martinmas At quhilk tyme the shireffs stewarts bailleis and bailleis of regalitеis and provosts and bailleis of free burrowes within the bounds of their jurisdictiones sall be obleist to hold courts weekelie to the effect afterspecified, and the leiges resorting to the saids courts sall give up ane inventar to the clerk thairof of the haill soumes of money for whilk annuell is dew to thame yearelie or termelie with the names of thair debtors designed by name and surname and the ordinarie place of thair residence as also the haill soumes of money for quhilks they are subject in payment of annualrents to others with the names of their creditours to whome the same is dew designed lykewayes by name surname and the place of their ordinarie residence whether the same annuelrent bein victuall or in silver the annuelrent of victuall to be estimat according to the stocke of money for the whilk it is payed at ten for ilke hundreth thairof And sall caus the parties vpgivers of the saids inventars euerie partie subscrybe his owin inventar himselfe if he can write and if he cannot write the clerk of the said court sall subscrybe the said inventar in face of court before the members thairof . . . . . It is alwayes provydit that if anie person impedit be reasoun of sicknesse or destracted by some other just occasione sall not be present himselffe to give up the said inventar it sall be lawfull for him to caus anie honest responsall man within the jurisdictione where he dwellis compeir and give up his inventar provyding the same be subscryhed be himselffe or be ane noter at his command whilk the ingiver sall declare to be ane trew deid and sall abide at the same upon the lyke hazard and danger as the principall partie wuld vnderly whilk sall be als sufficient as if the inventar had beane personallie givin vp be the principal partie himselffe And ane inventar being once made and given up sall still stand and be ane ground to charge anie person during the tyme of the foure yeeres of the said taxatioun vnless the partie change or vtherwayes employ the soumes and than he sall give vp ane new inventar whilk sall be ane new ground of ane charge and the former sall ceasse And the said clerk sall make ane record in his register of the saids haill inventars Quhilks inventars being so recorded sall be extracted be the said clerk and subscryved with his hand and three extracts made of the same ane to be given to the partie (if he require the same) another to be sent be the said clerk to the collectour of the same taxatioun and the thrid to be sent be the said clerk to the clerk of his Maiesteis regesters to be keeped amongs the records of his Maiesteis exchecker . . . . And in case it sall happin anie person or persons whatsomever be vertew of his vpgivin inventar to be chargit for payment of his taxation and at the tyme of his charge to declare in presence of ane judge by his great oath solemlie sworne that his debtor is ane bankrupt whairby he is disabled to make payment of his taxatioun and is content the Kings Maiesiie sall have the whole annuelrent addetted vnto him be his bankrupt debtor for that time the said declaratione sall be ane sufficient liberatioun to him of the same . . . . . And in caise anie persoun purchase wodsett of Lands and sett the same back againe in tack to him who wodsett the same to him the tackesman possessour of the

saids lands sall pay for the stent of the lands and the haver of the wedsett sall pay for the annuelrent of his money which he has on the land as if the same wer employed for annuelrent."[1]

The Parliament, which met at Edinburgh on the 28th of June, 1633, made an addition to the tax imposed by the Convention of 1630, enacting, in consideration of the reduction of the rate of interest from ten to eight *per cent.*, "that of the said ten payit by borrowers for each hundreth during the space of thrie yeirs nixt insewing tuo sall be payit to his Majestie during the said space (by and attour the tuentie pennie presentlie payit to his Majestie in this present running taxatioun) and that for the tearmes of Mertinmas next 1633 years and Whitsunday 1634 years."[2]

The record now printed affords an instructive view of the operation of these statutes, besides throwing light incidentally on several points of the social state of the country, and contributing many new details to the biography and genealogy of the North-eastern shires.

III. The Minutes of the Parliamentary Committee of Taxation.

On the 15th of August, 1643, an Act was passed by the Convention of Estates at Edinburgh, for raising the sum of thirteen hundred thousand merks, and six score thousand pounds, chiefly as a loan to be repaid by the English Parliament. The tax was distributed according to certain proportions among the several shires of Scotland, and persons were nominated in each shire as a committee for the collection of the sum assessed on the county.[3]

A fragment of the record of the proceedings of the committee for Aberdeenshire has been preserved among the Charters of the Burgh of Aberdeen, and is here printed from that source.

It is now of interest chiefly as a document in the history of the 'Valued Rent of the shire. The Act of 1643 set aside the ancient valuations of lands by which

[1] The Acts of the Parliaments of Scotland, vol. v. pp. 209—212.

[2] Id. pp. 39, 40.

[3] The Acts of the Parliaments of Scotland, vol. vi. pp. 26—36; Spalding's History of the Troubles in Scotland, vol. ii. p. 147.

taxes had hitherto been collected in Scotland, declaring that "the sowmes of money presently to be lent are not to be ingathered aff the shyres / as taxatiounes have bein / or by the devisiounes of temporalities and spiritualities / but rather is thoucht fitt that the samen may be wplifted out of the landis teindis / and utheres / as they lye locallie in every schirreffdome." For this purpose the committee was directed to eall by "name and surname the heritoures lyferentereres / titulares / taksmen of teindis propper wodsetteres pensioneres / ladie terceres and others" and with their eonsent to choose eight other commismissioners, "which commissioneres so nominate and elected sall wse all lawfull meenes . . . to informe themselffes of the iust and trew worth of every persoune or persounes thair present yeares rent of this crope and yeir 1643 as weill of landis and teindis as of any uther thing wherby yeirlie proffeit and commoditie aryseth," to be set down in a roll for eaeh parish in the shire, "which roll shall eontene everie particular persounes name surname and designatioune with thair said yeares rent and eommoditie within the said paroeh whither in victuall money or uther eommodities."

The Roll of Aberdeenshire appears to have been completed, not without some difficulty, on the 23rd of January, 1644.[1] It was soon found to be imperfect, and on the 2nd of February, 1646, the Parliament which met at St. Andrew's issued a "Commission for ane neu valuation of the Shire of Aberdene."[2] The ordinance itself does not appear to be extant, but part of the proceedings which took place under its provisions is recorded in the following sheets.[3] On the 26th of March, 1647, another "Act for the revaluation of Aberdeene Shire," was passed by the Parliament which met at Edinburgh;[4] and in accordanee with this, probably, was framed bearing date in the year 1649. This was again revised in the year 1667, and eontinued in foree until the year 1674, when the Roll of the Valued Rent, which is still in use, was drawn up.[5]

[1] Pp. 149, 150.

[2] The Acts of the Parliament of Scotland, vol. vi., p. 228.

[3] Pp. 150, 151.

[4] The Acts of the Parliament of Scotland, p. 281.

[5] List of Pollable Persons within the Shire of Aberdeen 1696, vol. i. pp. viii—xi.

IV. Summons against the Magistrates of Aberdeen.

The history of the municipal schism to which this document belongs, has been written by the annalist of the city at great length.[1] It has not been thought necessary to enter here on any details of the controversy, a knowledge of which, indeed, is not required to appreciate the interest of the paper now first printed from the original belonging to the Incorporated Trades of Aberdeen. Its value will be found to lie less in its relation to the civic strifes of the year 1591 than in the minute and comprehensive catalogue which it furnishes of the property of an opulent Scotish burgh during the latter half of the sixteenth century; such as the vessels of silver and brass, the vestments and cloths of price, the "fyne organes," the "great latroun of brass in forme of the pelican with her birds quhairon the Evangell was read," and the other furniture of the collegiate parish church; the guns and artillery, great and small, "Long Meg, yetlings, falconers, half falconers, double slings, slings, and half slings," provided for the arming of the citizens; the great "chaine of irne and ship mastis linkit together, quhilk usit to be put athort the water mouth in tyme of warres;" and the three thousand pieces of finely-hewn freestone of ashlar work, stored in the vault of Our Lady of Pity.

V. Process against the Egyptians.

This fragment of the record of the trial of a gang of gipsies at Banff, in the year 1700, is printed from the original in the possession of the Club. A place has been assigned to it in this volume on account of the interest which has long attached to one of the unhappy wanderers whose doom it commemorates.

James Macpherson, though born of a gipsy mother, is said to have been the illegitimate son of a Highland gentleman. Tradition bears that he was distinguished by great strength and beauty of person, joined to skill in music and the use of arms. The following pages show that he made pretensions also to a knowledge of the healing art.[2] These qualities and accomplishments, together with a

[1] Kennedy's Annals of Aberdeen, vol. i. pp. 150—165.

[2] P. 166

reckless generosity of disposition, far from rare among the followers of a lawless life, appear to have acquired for him no small measure of regard among the common people of the rude district which was the haunt of his tribe. The popular sympathy was still farther increased both by the apparent severity of a sentence of death inflicted on one against whom no charge of bloodshed could be brought, and by the courage with which the outlaw submitted to his fate. As he walked to the place of execution he is said to have played the wild and beautiful air which bears his name, and when, at the foot of the gallows, no one would accept the proffered gift of his violin, he dashed the instrument to pieces. "Macpherson's Rant, or the Last Words of James Macpherson, murderer, to its own proper tune," is believed to have been printed on a broadside, in the year 1701; and the verses have been praised for "the rude strength, the savage fierceness, the vindictive spirit, and the fearless scorn,"[1] by which they are characterized. The lines of Burns entitled "Macpherson's Lament" will be in the memory of every reader; but it is perhaps less generally known that the Irish have a "Macpherson's Tune" played, according to tradition, "by its composer, John Macpherson, on the bagpipe, as he was carried to the gallows."[2] It might be interesting to enquire how far popular fame may not have confounded the Banffshire gipsey with the highwayman of Leinster.

VI. List of Goods plundered in Cromar.

These catalogues appear to have been framed under the provisions of some of the many Acts which were passed by the Scotish Parliament for compensating the losses of their adherents.[3]

[1] Motherwell's Minstrelsy, Ancient and Modern, p. xxvi., note.

[2] W. H. Ainsworth's Rookwood, p. 63, Lond., 1836.

[3] "Anent defeasance for the burnt and wasted lands," 8. March 1645. (The Acts of the Parliaments of Scotland, vol. vi. p. 181); "Acts in favours of these who have suffered losses for the publike." 9. July 1645. (Id. p. 192); "Ordinance of Parliament concerning the committie for the loisses," 6. January 1646. (Id. p. 202); "Commission for tryall of the losses of the sheriffedom of Aberdeene," 16. January 1646. (Id. p. 205); "Commission anent the losses," 3. February 1646. (Id. p. 218); "Commission for the committie for loisses," 11. November 1646. (Id. p. 231.); "Act anent recording of losses," 2. January 1647. (Id. p. 236); "Act that no reparation of losses

The first spoiling of goods which they record was made by the covenanting clansmen of Argyll, bands of whom were poured into Aberdeenshire in the Spring of 1644, to take vengeance for the rising of the loyal Gordons, which followed the well-known enterprise of Haddo's Raid. They were ordered to quarter themselves on the Marquis of Huntly's lands on the Dee; but their depredations, which long survived in the popular memory, were not confined to the estates of the Royalists. "Ane regiment," says Spalding, "of the Marques of Argile's Heiland men, callit *The Clengeris*, lay in Birs, Cromar, Glentanner, Glenmuck, Abirgeldie, Oboyne, and uther places about; quhair, indeed, thay clengit all fra thair cuming thair, which wes upone the day of [May] to the first day of July, thay departed, leaving onlie behind thame ane capitane with four scoir men. This regiment of Argile men wes comptit aucht hundreth footmen with thair commanderis. Thay spairit not covenanter nor non-covenanter, minister nor laick. The haill countrie people fled that could flie, and left thair houses desolat. They plunderit and spolyeit the hous of Obyne and hous of Abirgeldie with the ground. Thay spolyeit and plunderit the haill Birs, Cromar, Glentanner, Glenmuck; and left naither hors, nolt, scheip, ky, nor four-footed beist, in all these brave countreis, nor victuall, cornes, goodis, or geir that thay micht lay thair handis upone. And seing thay could not laive longer in these herryit boundis, thay gat ordouris, and removit hame over agane upone the foirsaid first of July, leaving onlie ane of thair captanes with fourscoir men. But this vengans whiche fell in thir countreis upone the covenanteris and ministeris wes doubtles the just judgementis of God for begining sic a play against thair royall King."[1]

The remaining portion of the catalogue is occupied with the plunder taken by the Parliamentary armies which were despatched to the North in the year 1647 to repress the expiring struggles of the Royalists. The strength of the Gordons was by this time so shattered, that at the first approach of the Covenanters' forces, Huntly had to seek refuge among the mountain solitudes of Strathdown, where he was soon afterwards taken captive, and led to the block at Edinburgh. His

be given to those who has been complyers with the rebels," 22. March 1647. (Id. p. 271.); "Act anent the trying of burnt or wasted lands," 26. March 1647. (Id. p. 276.); "Commission for burnt' and wasted lands in Aberdeneshire." 11. May 1648. (Id. p. 322.); "Commission for burnt and wasted lands in Banffshire," 11. May 1648. (Id. p. 323.); "Commission for trying the losses of Bamff and Culloen," 14. March 1649. (Id. p. 431.)

[1] Spalding's History of the Troubles, vol. ii. pp. 238, 239.

castles of Strathbogie and The Bog of Gight surrendered to the enemy after little more than a show of resistance; and the island fortress of Loch Ceannor, in Cromar, which the gallant Viscount of Aboyne had strengthened, was able to hold out only for a few days.[1]

The head of the house of Drum, Sir Alexander Irvine, did not himself take an active part on either side during the wars of the Great Rebellion, being secured, apparently in the immunities of an honourable neutrality by his office of Sheriff of Aberdeenshire. But his chivalrous sons, the Young Drum and his brother Robert of the chronicles were among the bravest of the northern cavaliers, the first to take arms for the Sovereign and the last to lay them down. Their loyalty proved nearly fatal to themselves, and impaired the fortunes of their family, which at the beginning of the troubles was reputed to be the most opulent in the North under the rank of nobility. There is, indeed, a tradition that King Charles I. intended to raise it to the peerage by a title which has since become distinguished in another lineage; but the only reward which was bestowed on its constancy and devotion was a clause in a charter of King Charles II., commemorating its loyalty of old, and its sufferings in later days: "Spectati vero in recentioribus instantiis fidelium et alacrium servitiorum et perpessionum tum patris Domini Alexandri Irvine de Drum tum prenominati Alexandri Irvine nunc de Drum sui filii, qui nuperis calamitatum et rebellionis temporibus fidelium suorum ancestorum nomina meruerunt; idque fidissima eorum et tenacissima illustrissimi nostri patris Caroli Primi sempiternae memoriae nostrisque rebus adhaesione in arduissimis nostris difficultatibus et angustiis; adeo ut non mulctae, carceres, fortunarum ruinae, excommunicatio, exilium, nec sententiae in eorum vitam latae (praesertim dicti Alexandri in quem sententia lata fuit et illico fuisset executa, si non, providente Deo, fidus noster tunc temporis commissarius et praefectus Montisrosarum Marchio, cum in arce nostra Edinburgina ubi in arcta custodia jacebat, in libertatem asseruisset) neque innumerae aliae crudelitates, oppressiones et devastationes per praevalentes tunc rebelles in ipsius et patris sui familias et fortunas commissae; nec ullae aliae severitates, difficultates, aut dura eorum temporum pericula eos unquam deterrebant; nec ullae quaecumque suasiones aut illecebrae

[1] Genealogical History of the Earldom of Sutherland, p. 537; Patrick Gordon's Abridgement of Britane's Distemper, p. 199.

eos unquam declinare fecerunt a sinceritate fide et zelo quibus erga personam et praerogativum Regium usquam claruerunt."

VII. Appeal by the Knight of Drum from the Presbytery of Aberdeen.

This document, as well as that which precedes it, are printed from copies in the Charter-room at Drum.

The registers of the Presbytery for the year 1652 are not preserved, so that the grounds of their proceedings against the Laird of Drum are not certainly known farther than as they may be gathered from the appeal itself. The books of the Kirk Session of Aberdeen supply the following notice of the affair: "26th January, 1652.—Yesterday, being the Lordis day, Jannary 25, intimatioun wes maid from both pulpitis of this brughe, the fearfull sentence of excommunication wes to be pronuncit against Sir Alexander Irvyng of Drum, knicht (be ordour of the presbyterie, being resident with his wholl familie within the said presbitrie), the nixt Lordis day, being the first of Februarij nixt, becaus the kirk of Drumock (quher the said Sir Alexander presentlie resides) is now vacand of ane minister, for the reasones and causis contenit in the Presbitrie Bookis, and to be contenit in the said act of excommunication."[1]

Whitelock[2] preserves a communication sent by Sir Alexander Irvine to the Moderator of the Presbytery of Aberdeen in answer to "A Letter written to the Laird of Drum by direction from the Presbytery of Aberdeen, that they were resolved to excommunicate him unless he submit to them and rescind his appeal." In this paper he says "That many others have spoken more freely against the usurped tyrannical power and supremacy of your Presbyterian inquisition, to which they impute the cause of all those miseries which have befallen this nation. Yet none are persecuted by you but I and my family, whereby it is notoriously known that the only cause of your unparalelled severity against me is my appel-

[1] Selections from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen. p. 117. Presented to the Spalding Club by the Earl of Ellesmere.

[2] Memorial of the English Affairs, (fol. 1732.) p. 525.

lation to Colonel Overton, wherein I imitated St. Paul, who did appeal from the cruelty of the Pharisees to Cæsar, a civil judge and no Christian."

The good knight's appeal to Cæsar, in the person of one of Cromwell's captains naturally excited much attention in England, where the strife between the Presbyterians and Independents was then at its height. The matter was eagerly seized on by the latter as a proof of the despotic nature of presbytery, and its incompatibility with the due rights of the civil magistrate. We learn from the fantastical translator of Rabelais, that of two "Diurnals" or newspapers, which reached him in his imprisonment after the battle of Worcester, "in one thereof was contained the relation of the irrational proceedings of the Presbytery of Aberdeen against Sir Alexander Irvin of Drum, together with his just appeal from their tyrannical jurisdiction to Colonel Overton, the then only competent judge that was there; and in the other, a petition or grievance of the Commons of Scotland against the merciless and cruel taskmasters that the presbyterian zeal had set above them these many years past, wherein (whether that petition was suppositious or not) there was not anything, the truth whereof might not be testified by thousands of honest people in Scotland, and ten times more of their roguery than in it is specified."[1]

It appears that the Laird of Drum found the interposition of the English sectaries sufficient not only for his own protection, but for the settlement in his parish church of Dalmaok of an Independent preacher, who did not, however, long retain his charge."[2]

Sir Alexander Irvine did not long survive the proceedings recorded in the text. He died before the month of May, 1658, and was succeeded by his son, Alexander Irvine. This gentleman also fell under the spiritual censures of the Presbytery, on the same charge of having embraced the Roman Catholic faith.[3]

VIII. The Gordon Letters.

The letters, to which this title has been given, are selected from a great mass

[1] Sir Thomas Urquhart's Jewel, p. 6. edit. Edinb. 1774.

[2] Selections from the Ecclesiastical Records of Aberdeen, pp. 222, 223.

[3] Id. pp. 260, 261.

of documents which, after all the vicissitudes of fortune, still remain at Gordon Castle, to attest the ancient power and grandeur of the house of Huntly.

The two letters which stand first in order were addressed by the ill-starred Mary Queen of Scots to George, fifth Earl of Huntly, the son of the nobleman who fell at Corrichie in 1562. He himself died at his castle of Strathbogie in the year 1576.

He was succeeded by his son George, the sixth Earl, who was created Marquis of Huntly in the year 1599, and died at Dundee in the year 1636. To this great chief the Letters numbered III. to XI. are addressed. Eight of them are from the pen of King James VI., and though (with one exception)[1] without date, obviously relate to the incident known in our annals by the name of "The Spanish Blanks." The critical position in which that affair placed the Sovereign and his powerful subject, sufficiently accounts for the mysterious tone of the King's epistles. The letter from the Marquis of Huntly to the Earl of Nithsdale,[2] is remarkable as affording proof how early in the reign of King Charles I. those rebellious designs were hatched which in the end overthrew the monarchy, and laid the liberties of the country prostrate at the feet of a military despot.

Eight letters[3] are addressed by King James II. (five of them before his accession to the throne) to George, fourth Marquis of Huntly, who succeeded to that title on the death of his father, Lewis, in 1653, was created Duke of Gordon in the year 1684, and died in the year 1716. He married the Lady Elizabeth Howard, daughter of Henry, sixth Duke of Norfolk, who survived the year 1731. To this lady, who was conspicuous for her attachment to the exiled Stuarts, seven letters[4] in this collection are directed by Mary of Este, the consort of King James VII. A letter[5] from the same Princess to the Duke of Gordon, though without date, was obviously written after the Revolution of 1688, when his Grace held out the Castle of Edinburgh for the disinherited King.

In the beginning of the year 1712, while the first Duke was yet alive, the

[1] No. vi. pp. 214, 215. The circumstances under which this letter was written are related in Gregory's History of the Highlands, pp. 236, 237.

[2] No. xi. p. 217.

[3] No. xiii—No. xx. pp. 218, 221.

[4] No. xxi.—No. xxvii. pp. 221—226.

[5] No. xxviii. pp. 226, 227.

whole Gordon estates devolved, in terms of a judicial sentence, on his only son, Alexander, Marquis of Huntly. It seems to have been in anticipation of this arrangement that, in a deed[1] dated in the Autumn of 1711 (by which two of the proscribed race of Mac Gregor became bound to take the name and follow the fortunes of the Gordons), the Marquis was recognised as the head of his family. He succeeded to the ducal honours in the year 1716, and to him five of the letters in the text are addressed—namely, the interesting communications from General Carpenter[2] and Sir Robert Monro[3] of Fowlis, and the three which bear the signature of General Guest.[4] His Grace died in the year 1728.

His successor was his son Cosmo George, who survived the year 1751, from whose correspondence two papers have been selected. The one is a brief note from Glengarry;[5] the other, a long and characteristic letter from the famous Lord Lovat,[6] shows that that singular person was accustomed to ride out on horseback at a period when it has been commonly supposed he spent all his days in bed.

IX. Enquest on the Custody of the Crosier of St. Fillan.

The legend of St. Fillan, abbot and confessor, is contained in the Breviary of Aberdeen, that venerable treasury of the traditions of the early Scotish Church. He is said to have been of a noble and saintly race, his mother being St. Kentigerna, the patron of the church of Inchcailyeach, in Loch Lomond, and his uncle that St. Congan, to whom the church of Turreff was dedicated. He received baptism at the hands of St. Ybar, the bishop, and at an early age embraced a monastic life under St. Mund. It was during his sojourn with this abbot, on the banks of the Holy Loch, that a servant of the monastery, looking through a crevice in his cell, beheld St. Fillan in the act of writing with no other light than that which miraculously beamed forth from his left hand. On the death of St. Mund, the disciple so signally favoured of Heaven, was unanimously chosen his successor; but he did not long retain the office. Warned by an angelic vision, he withdrew himself to a place called Siracht, in the upper regions of Glendochart, where, on a spot miraculously

[1] No. xxxiv. p. 234.
[2] No. xxxiii. p. 233.
[3] No. xxxii. pp. 231, 232.
[4] No. xxx.—No. xxxii. pp. 228—231.
[5] No. xxix. pp. 227, 228.
[6] No. xxxv. pp. 234—236.

indicated, he built a church, which came afterwards to receive the name of Strathfillan, and in which his remains were buried.[1]

The Breviary makes no mention of his reliques, but they appear to have been held in veneration from an early period. His arm-bone was believed to have worked a miracle which greatly comforted the heart of the Bruce on the eventful eve of Bannockburn. "All the nycht afore the battall," says Bellenden, "Kyng Robert wes rycht wery, hauand gret solicitude for the weil of his army and mycht take na rest, bot rolland all ieopardeis and chance of fortoun in his mynd, and sum tymes he went to his denoit contemplatioun, makand his orisoun to God and Sanct Phillane, quhais arme (as he beleuit) set in siluer, wes closit in ane cais within his palyeon, traisting the better fortoun to follow be the samyn. In the mene tyme the cais chakkit to suddainlie bot ony motion or werk of mortall creaturis. The preist astonist be this wounder went to the alter quhare the cais lay. And quhen he fand the arme in the cais, he crijt, 'Heir is ane gret mirakle:' and incontinent he confessit how he brocht the tume cais in the feild, dredand that the rillik suld be tynt in the feild quhair sa gret ieopardeis apparit." It is added that, on the morrow, the King, in encouraging his soldiers to the fight, said: "God hes now schawin to ws his fauour be myrakle of Sanct Phillane, quhilk is cumyn (as I beleif) to your eiris. Thairfore I pray yow be of gud comfort as ye ar. Set one yone confusit multitude of peple. And traist weill, quhare God is concurrant, na multitude of ennimeis may auail."[2] This incident has not been traced to any older author than Boece[3] (whom Bellenden translates),

Breniarium Aberdonense, proprium Sanctorum pro tempore hyemali, foll. xxvi., xxvii.; xxiv., xxv.

[2] Bellenden's Croniklis, book xiv., chap. xi.

[3] "Nocte autem quum Robertus de rebus suis sollicitus, quietem nullam prope corpori daret, precibus vacans, aut omnia animo voluens, intento eo cum quibusdam in preces conuerso (orabat autem Deum ac Sanctum Philaum, cuius brachium inclusum argento in exercitu se habere credebat, vt victoriam propitii dare vellent) visum est brachium argenteum, cui inclusum verum fuerat, repente assertum, ac rursum in uictu oculi clausum nullo accedente, nec se mouente quopiam. Quod quum mirandum videretur, sacerdos ad altare accessit, quid actum esset inspecturus: vbi vidit verum inesse brachium, exclamans, vere numen adesse diuinum, confessus est factum suum Regi, quod roganti brachium Sancti Philani, capsulam tantum argenteam, veritus ne in tumultu perderetur, exempto vero brachio vacuam dederit. Plenus igitur Rex spe reliquum noctis in precibus ac gratiis agendis perseuerabat." (H. Boetii Scot. Hist., lib. xiiii.: fol. 302., edit. 1575.)

but it may be thought to borrow some corroboration from the reference to the days of King Robert I., which occur in the documents printed in the text at so early a period as the year 1428, as well as from a gift of twenty pounds, which The Bruce is known to have bestowed on the building of St. Fillan's church in the year 1329."[1]

Another relique of St. Fillan was held in reverence almost until our own times. The minister of the parish of Killin writes, in the year 1793, that "there is a bell belonging to the chapel of St. Fillan, at Strathfillan, that was in high reputation among the votaries of that Saint in old times. It seems to be of some mixed metal. It is about a foot high, and of an oblong form. It usually lay on a grave-stone in the church-yard. When mad people were brought to be dipped in the Saint's Pool, it was necessary to perform certain ceremonies, in which there was a mixture of Druidism and Popery. After remaining all night in the chapel, bound with ropes, the bell was set upon their heads with great solemnity. It was the popular opinion that, if stolen, it would extricate itself out of the thief's hands, and return home ringing all the way. For some years past, this bell has been locked up to prevent its being used to superstitious purposes.[2]

The deed printed in these pages is not a solitary instance of the anxious care by which it was sought to draw the fence of legal forms round the privilege of keeping the venerated reliques of Scotish saints. Mr. Robertson has lately called attention to the remarkable fact, that, so lately as the year 1675, the right of custody of the bell of St. Kessog, and the bell of St. Lolan, were included among the feudal investitures of the Earldom of Perth. He has shewn also that the possession of the bell St. Kentigern by the people of Glasgow gave origin to the armorial bearings of that city.[3] In the year 1484, the Abbot of Arbroath made a formal assignation to the vicar of Banchory of "all right and claim, if any he had or might have, in and to the bell of St. Ternan of Banchory, with all and whole the offerings, profits, commodities, and emoluments which might arise therefrom."[4] A deed in the Chartulary of Aberdeen shows that a few years after-

[1] The Chamberlain Rolls of Scotland, vol. i., p. 100.

[2] The Statistical Account of Scotland, vol. xvii., p. 378.

[3] Liber Collegii Nostre Domine Glasguensis, p. xxv. Presented to the Maitland Club by the Marquis of Bute.

[4] Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff, vol. ii., p. 63.

wards the vicar purchased from a layman the hereditary claim "to the bell of Saint Ternen callit the Ronecht," accruing to him in right of his wife.[1] This relique is commemorated in the Breviary of Aberdeen[2] as a gift to the Apostle of the Picts, from Pope St. Gregory the Great, which was endowed with miraculous powers of motion, so that whithersoever St Ternan went, thither the bell followed of its own accord. In the "Collections for a History of the Shires of Aberdeen and Banff," presented to the Club by its distinguished President, several documents are printed regarding "The Brecbennach," a consecrated banner, associated by tradition with the memory of St. Columba. The custody of this relique, together with the lands of Forglen, dedicated to it of old, was given by King William the Lion to the Abbey of St. Thomas the Martyr, which he founded at Arbroath. The monks were required to make the accustomed service with the standard in the King's host; and for this purpose they provided a lay substitute, under whom all the tenants of the abbey were taken bound to serve in time of war. The custody of "The Brecbennach" in the beginning of the fourteenth century was held of the abbot by the knightly family of Monymusk of that Ilk, from whom it passed by descent to the Urrys and the Frasers, becoming vested about the year 1420 in the Irvines of Drum.[3]

The "Inquest made at Keandrochit concerning the privileges of the relique of St. Fillan" is now printed for the first time from a copy in the possession of Lord Panmure, made from the original belonging to the Marquis of Breadalbane. The relique itself is probably still preserved. The late Dr. Jamieson saw it in the possession of a person named Dewar,[4] in Glenartney, to whose ancestors it had belonged from time immemorial. It is described as "evidently the head of a crosier, or pastoral staff, highly ornamented, of a kind of fillagree work of silver."[5]

[1] Registrum Episcopatus Abedonensis, vol. i., pp. 327, 328.

[2] Breuiarium Aberdonense, proprium Sanctorum pro tempore hyemali, fol. cv.

[3] Collections for a History of the Shires of Aberdeen and Banff, pp. 510—518.

[4] Malice Doire is stated to have had the relic in his possession in 1782. Archæologia Scot. vol. iii. p. 289.

[5] Dr. Jamieson's Wallace and Bruce, vol. i., p. 484.

Agreement between the Earl of Huntly and the Regent Murray.

This paper is printed from the original in the possession of the Club.

The circumstances under which it was drawn up are thus described in a contemporary chronicle: "Vpoun the xviij day of May, the year of God 1569, James erle of Murray, regent, past of Edinburgh, to pas to the north pairtis of this realme, to dant the insolence of George erle Huntlie, quha with his complices dailie and hourlie waistit the guidis and geir of all thame that assistit the Kingis auctoritie, and tuke thair houssis and places in the Queinis name as hir lieutenant: Quha past to Sanctandrois in Fyff, quhair the said erle of Huntlie come and convenit with my lord regent for himself and his freindis; and thairefter my lord regent past to Abirdene, and thair summond all theis personis quha tuke pairt with the saidis erle of Huntlie, to compier befoir the said regent in the tolbuyth of Abirdene, to vnderly the law for sik crymes as wes be thame committit. And becaus thaj durst not vnderly the law, thaj componit with his grace for greit sowmes of money. And thairafter he past to Elgin and Innernes, quhair in lyikwyse the assistaris of the said erle of Huntlie wer callit; bot thaj componit for sic sowmes of money as thaj wer not habill to pay, for thair wes neuer sene nor hard in this realme in tymes bygane that sic mene gentillmen as thir ar that payit sic greit sowmes of money as thaj did." [Diurnall of Occurrents in Scotland, pp. 144. 145.]

The Editor desires to acknowledge the courtesy and liberality displayed by the owners of the Papers now printed, in placing them so readily at his disposal for the purposes of the Club.

JOHN STUART.

Aberdeen, Dec., m.dccc.xlvi.

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[1] This Letter seems to be from Charles II., and the date to be 1659 instead of 1639.

LETTERS

OF

LORD GRANGE.

LETTERS OF LORD GRANGE.

I. Lord Grange to Thomas Erskine of Pittodry.

Edinburgh, 22d March, 1730–1.

Dear Sir,

Having been so long detained from answering yours, of February 22d, you are like to be troubled now with a long letter, because several things have happened which I believe it is proper to acquaint you of.

Let me begin about your son. Collonel Erskine's third son, David, now a captain in Cunningham's regiment, is come over for recruits. Before his arrival, his father desired my assistance to him, and said that he heard you could help him much. I said that I believed you could, but that he and his son could help you in a better business, which I believed they would have done however; and on this occasion I thought should offer it to you. I told him of your son, and how naturally it lay in the captain's way to do him good, which the collonel seemed earnest for. The captain came here three days ago. I urged him to the same good offices for your son, which I believe he will perform. It speaks well of him. Must they write to you for assistance in recruiting, or that you shall incline to write to them in behalf of your son? I thought it best to acquaint you of this. The captain's family and lady (daughter to the late and niece to the present Collonel Cunningham) live at Breda, where your son is.

By letters from Flanders, last post but one, I had accounts which gave me a vast deal of concern. A certain friend[1] there is by no means well,

[1] The Earl of Mar, brother of Lord Grange, who was attainted for his share in the Rebellion of 1715.

believes himself very bad, and that he cannot outlive such another winter as this last has been to him. He seems wholly indifferent of living, since, as he says, he is not usefull to his friends, but rather a load on them. I hope there is a good deal of meer apprehension in this; yet he is indeed not well, and the swelling of his legs goes not off, and he thinks he inclines to an asthma. If he get not leave to breath his native air, he must go to some better, warmer, and dryer climate than where he is, or must languish and die. This very melancholly will render him dayly worse and worse, and, had he not had uncommon fortitude, his spirits had been exhausted and his mind sunk long ago. He has still loads on him that are sore and heavy. His son does not by any means exert himself as he ought, But all this, my dear friend, is to yourself only. Sympathy and assistance is met with from honest men and reall friends, and distress stirrs them up to it; but it makes others keep at a distance from you, and help to beat you down.

Lady M—r, they say, is quite well, and so as in common justice she can no more be detained as a lunatick; but she is obstinately averse from appearing in chancery, that the sentence may be taken off. Her sister probably will oppose her liberty, because thereby she would lose and Lord M. in effect gain £500 yearly; and the poor lady being in her custody, and under her management, had need to be very firmly recovered, for the guardian may at present so vex, teaze, and plague her, that it would turn any body mad. This galls Lord M. prodigiously, and the young one, who think themselves oblidged, in affection, duty, conscience, and honor, to do what they can for relief. This has hung on these several months; and a certain youth[1] has trifled with it so egregiously that nothing effectual can be expected by him, nor indeed any account of her case, so exact as to be depended on; and none other of her husband's friends, when Lord G—ge[2] is not there, have access to her. More than one letter from her two nearest friends have, for a considerable time, earnestly presst Lord G. to go thither, and try what he can do for her, and in other concerns of theirs. The last letters he cannot withstand, and therefore is making ready for the journey, which he thinks to begin eight or nine days hence, and to travell by easy posting.

[1] Lord Erskine.

[2] Lord Grange writes of himself here in the third person.

His health has all this winter been so bad, that he must not venture on hard riding, and moderate posting he hopes will do him good.

This is a ford he has rode before; and he so well knows, from experience, the trouble, difficulty, and danger of it, that the undertaking it again gives him no small concern. The danger and difficulty is not only with respect to the business itself, but allso to the manadger of it, who, if things succeed not, and perhaps though the business itself do succeed, may incur great wrath and malice. But I am sure he never yet was frighted from what he thought was right in itself, and his duty towards his friends, by his own trouble or danger; and he seems as little frighted now as ever in his life. He has but a poor prospect of powerfull assistance in what he is going about. Some who did assist him formerly have now less to say; others, from experience of what is passt, will probably be more shy, and, least their own fingers should be burnt, keep at a distance; others, believing he has a hard game, will try to make a merit with his opposers, by misrepresenting and lieing on him, and bearing him down. And I have found that, in such a case, there is no bounds set to such mischief, and it is pusht on, though it should go the length of your utter ruine, and of Tyburn itself or the Grass Market. Then I am told that Lady G—ge is going to London. She knows nothing of his going, nor is it suspected here, nor shall be till the day before he goes off; and so she cannot pretend it is to follow him. She will certainly strive to get access to Lady M. W—y,[1] Lady M—r's sister (whom she openly blesses for her opposition to our friends), and to all where her malice may prompt her to hope she can do hurt to us. You will remember with what lieing impudence she threatned Lord G., and many of his friends, with accusations of high treason, and other capital crimes, and spoke so lond of her accusing directly, by a signed information to Lord Justice Clerk, that it came to his ears, and she was stopt by hearing he said that if the mad woman came to him, he would cause his footman turn her down stairs. What effect her lies may have, where she is not so well known, and with those who, from opposition to what Lord G. is about, may think their interrest to encourage them, one cannot certainly know; but if proper measures be not fallen on against it, the creature may

[1] The second wife of the Earl of Mar was Lady Frances Pierpont, daughter of Evelyn first Duke of Kingston, and sister of Lady Mary Wortley Montagu.

prove troublesom. At any rate, this wholle affair will require a great deall of dilligence, caution, and address. I wish Lord G. had as much of the two last as he has of the first. Yet he owns that this winter, his indisposition, and a load of unpleasant things, brought him under a sort of unactive languishment; but I hope that is quite off.

Some of the reasons which make him think he ought to undertake this affair, and manadge it with all the prudence and firmness he can, were there ten thousand difficultys and dangers to attend him in it, are these. His friend's spirits are sinking. He trusts to him, and sees none so likely to act for him at present; and to meet with what he would conceive a neglect of him would be a stob to his heart; the thought of which is a stob to Lord G.'s heart. He cannot withstand it. If his friend be wearing near the end of his days (as himself apprehends) he shall not depart with a grudge, and with that bitter heivyness that his friends he trusted disregard him, and perhaps God may favour him with success; and then he shall be the means of preserving our friend to his family and friends, and restoring and raising his spirits. This I would think must very sensibly pierce any heart that relishes and feels the force of natural affection and friendship, and has the principles of kindness and generosity in it. If Lady M—r continue in her confinement, and matters as they are, it is bad enough; but they may be worse. Supposing the sister find her well, and that none of the husband's friends go near her, or attempt her relief (for the truth is, let us all do and say what we can, Lord E—ne very selldom sees her, and does nothing), then, may not an artfull woman impose on one in such circumstances, and whose mind cannot yet be very firm? And this is the more to be feared, because, at the beginning of her illness, the sister said loudly, and oftener than once to Lord G. himself, that her husband's bad usage had turned her mad. Supposing, then, the sister tell and persuade her to this purpose: You see your husband's friends quite neglect you; Lord E., though on the place, selldom comes near you. How easy were it for Lord G. to have made you a visit, on hearing you are so well? Surely, it became the fellow to pay you that regard, and he would have done it had he any kindness for you; and, if the husband had, he would have layed such commands on his son and brother which they could not have resisted. Now, you may get your freedom, but can you again trust yourself in their hands? Quite separated from your father's and mother's friends,

and from your country, lockt up in Scotland or forreign parts, and wholly in their power, what can you expect? Your friends here could give you no relief, and you should be wholly at the barbarous mercy of those whose sense get not sufficiently the better of their hatred or contempt, as to make them carry with seeming respect to you till they get you in their power. What will they not do when they have you?

Such things to a woman so lately of a distempered brain, constantly inculcated by so near a relation, whom she only sees, and her creatures, and depends on her entirely for the time, what may they not produce? And if they have their effect, then the consequences are these: The lady being at freedom legally, but *de facto* still under her sister's absolute government, the bargain about her jointure becomes void, and thereby she (or rather the sister) gets more by £500 sterling yearly, and our friend has nothing at all. A part of that bargain was, that the sister and her husband made over to Lord G. the lease of the house in Whitehall, which the late King granted to Lady M—r, and Lord G. got from this King a new lease, in his own name, commencing at the expiry of the other, and both making his right to that house be for fifty years. These leases he has sold for £1670 sterling, and the mony is actually applyed for paying their Paris debts, *pro tanto*. On Lady M—r's being at freedom, the assignment of her lease to Lord G. becomes void, and consequently so does the sale he has made of it; and in that sale the lease to Lady M—r was valued at £800 sterling, which will be losst by the avoidance of it. Were Lady M—r on her freedom, in right hands, she would ratify the bargain, but if in her sister's probably she will not. If, whille she is that way, Lord M. comes to die, it is too probable that his daughter will fall into the same hands, which would go near to finish the ruine of the familly.

I shall add little more on this head. The expense is uneasy, at any rate. If the lady be got to freedom, and then to the settlement we wish, it will cost mony; but it is worth it, and if it make not a return in profit, yet it prevents worse. Lord G. is now pretty well acquainted with the ways there; his personal charges, he is sure, will be small in comparison; he will not be in expensive companys, or houses, but when business requires it; nor at any diversion, but what he finds necessary for keeping up the chearfullness of his own spirit and the health of his

body. He wears plain and not fine cloaths. When there last, he kept not a servant, but had a fellow at a call, to whom he gave a shilling a day, such days as he was to be at court, or among the great, and must have a footman, as necessarily as a coat on his back or a sword by his side. He never was nice nor expensive in his own eating, and less now than ever; for this winter he has quite losst the relish of French claret, the most expensive article at London. He is to travell without a servant, for whom he knows not any sort of use on the road, and only has a post-boy, whom he must have, had he twenty servants of his own; and so he travelled last year. But the cash of the estate of Mar is at present vastly low. He is sorry to burden it with any thing that looks like his own expense; and he never did it, but when, near three years ago, he went to London on such errands as now. And he did it then, because unable to bear it himself, and that is still his case. But he has not yet stated to Lord M.'s accompt one sixpence of the money he remitted to Lord E—ne, for several years after the forfeiture, nor the charge he was at (and he only) before the court of enquiry and of exceptions, and the appeals before the House of Lords about the estate of M., till he got leave to purchase it, and the money necessary to be layed out for keeping off mischief, nor the charge of a London journey in 1724, and another in 1727, made solely on Lord M—r's account, nor of any other expence he was put to in this country. He is the more straitned now; and that plague of his life[1] has encumbered him, and his children are grown up. He does not fear to overcome all these difficultys of his own; only, at present, they make it harder for him to undertake this journey on his own charges. But the journy is necessary, and he will never despair when going about his duty; at least, *Vincendo omnis fortuna ferendo est.* And who knows what Providence may work for us? Therefore, courage, my friend. Let us do our best, and God what he thinks fit in his infinite wisdom and goodness.

I have not time to write another letter so particularly, and general hints do not satisfy a man who has reall sense and kindness, such undoubtedly as Lord Pitsligo, who, I know, wishes to understand how it goes with his friends. I write to him, by this post, a short note, and

[1] Lady Grange.

refer him to what I here write to you. I pray you take some good and safe way of communicating it to him. And this letter ought certainly be burnt, without delay.

There is another thing our friend has for these many months desired of Lord G., and now again urges it, in the stile as if to see him before he dies, and to concert with him the affairs of his familly, and that is, to make him a visit, and he wishes it may be before the end of May next. I doubt it cannot be so soon. It is not a crime, by law, to see him abroad, and many in office, who are well lookt on, have seen and converst with him there. But probably it would be quite otherwise constructed if Lord G. went purposely to see him, and might be made a pretence against him and his. But it is hard and cruell not to see his friend in such a case. He must inform himself, at London, and look well about him as to this point. If he gets the lady delivered, and to go over, then perhaps his waiting on her to the other side of the sea might pass without animadversion. But very fallible conjectures are all that one can say on any of these metters, till he has been some weeks in conversation at London. Things and men alter strangely, in a year's time. He cannot know, at this distance, how he will find men's faces and dispositions towards him. Some may prove sower that seemed kindly, and some that seemed kindly may prove harsh. What the Scriptures says of Kings is true allso of their servants, and indeed of all mankind: "Their hearts are in the hands of the Lord: as the rivers of water, he turns them whithersoever he wills."

The parting with those things in Aberdeenshire gives me a great deal of uneasyness. But what can we do? Better to part with some, and save the rest, than lose all. If Lord E—ne would have done any thing tollerably, it had not come to this. But, after so much mellancholy matter, it were too much to enter on that now. The bargain about the forrest has gone so oddly, that you should know it.

We resolved to give the offer to the gentlemen whose lands lay nearest to it, viz.: Inverrey and Dallmore. The first came here himself, and the other commissioned his brother about it. Lord Dun thought fit to call Invercauld hither, to give advice, and to him he allso proposed to buy the Davach of Castletown, who was for it, but regreated he was to have no share of the forrest, for grazing to it. Dallmore's people have shunned me as afraid, ever since the impertinence of James, last deceast.

and applyed wholly to Dun, and Lord Dun in this affair transacted all, both with Dallmore and Inverrey; and the price he asked, by Invercauld's advice, was fifteen years purchase of the rent it has ben set at these two years passt. At length, Dun, with Inverrey and Charles, came to me, and his share of the forrest, and what he was to pay for the souming and rouming of the sheels and glennings came to ten thousand merks. They pretended not that it was too dear, but said they were not able for it, and had even, on that pretence, proposed before to Lord D. to let them have all for five thousand merks, and when I was there came up to seven thousand; and Lord D., believing that, if they did not, none else would purchase it, nine thousand merks was agreed to on both sides. The proportion of this for his part of the forrest (the same that he has in tack) was four thousand five hundred merks. Dallmore, after much jungling with Lord D. for that part which he has in tack, would not give the seven thousand five hundred merks, which, at fifteen years purchase, it amounted to; and Dun gave up with him, which he told me in the forenoon; and I told my Lord that I would not consent to his geting another offer of it, but let Invercauld have it, who had been more usefull to us, and might be so still, and had proceeded more handsomely; to which Lord D. agreed, and I assured Invercauld in the afternoon that he only should be the man. He no sooner parted with me than he told this to Dallmore's brother, who came to me allmost out of his wits; said, he did not think he had given up with Lord D.; that his brother might leave the country, if Invercauld got this; and, insted of fifteen, had better give fifty years purchase than want it: and, allmost with tears, begged me to let him have it still. I told him how unworthy he was, knowing the value of it so well, yet to strive so much to beat down the price; that he had had it several times in his offer, at that low price, and rejected it. He answered, that it was only to learn whether Inverrey should get an abatement, that he might ask it too. I replyed that it was nothing to him though we had sold to Inverrey for sixpence, and, since he had been thus on the sharp with us, he was deservedly trapt; that I had given my word to Invercauld, and would not break it, any rate.

Then Lord D. and I met with Invercauld and Inverrey; and his brother Charles, and he, and J. Thomson, were to draw minutes, and Lord D. to go from town next day. The minutes Charles made were per-

plexed nonsense, like his looks, and I believe like the inside of his head too. Therefore, just after Dun went away, I drew the minutes myself, and sent them to the lairds, and their writer, and met with them about two hours afterwards. They were displeased with them, and none more than that bitter litle villain Charles. I added somethings on the margent, which pleased them; so we parted, and were to meet next day, and sign when the minutes were transcribed on stampt paper. When I came from them, a gentleman, exceeding responsible, told me he heard of the bargain; that I was vastly cheated by these villains; that he was not at freedom to tell me his man, nor did I need to care, for he would give me, for Invercauld's part, one hundred guinees above the seven thousand five hundred merks. I told him that I suspected Dallmore was his man, who therefore was still the greater villain, since he had strove to cheat us even of a part of the seven thousand five hundred merks. He would not tell me the man, but in short he offered me four thousand five hundred merks above the seven thousand five hundred, and to give me his own bill for it, payable at Whitsunday next; and assured me of a merchant for Inverey's part, at a price proportionally higher than Inverey's. I told him that if he had known so much when they impertinently and saweyly jangled with me about the minute, I could have broke with them, but now could not honorably do it, should he give pounds sterling for merks Scots; that I had never broke my word in any bargain, and never would.

When Invercauld came to me next day, I told him this; and that we were ill used by all of them, and expected it not at his hand; and would think it very odd if he came not up to the price, or at least made a handsome compliment: but he was deaf. The thing began to be talkt of; and Sir H. P—ne happening to meet the two Invers, told them so, and that it fill'd every body with indignation to see Lord M.'s familly, in the present circumstances, treated so by those who ought least of all men to do so. That, if som others than Lord G. was the man, he would be easy, for there being *locus pœnitentiæ* till write interveened, some others would make use of that legall priviledge, which he feared Lord G. would not, believing he was tyed by his word, though not by law; and that it would not raise their characters in the world if they catched the advantage, because he is a man of honor. Inverey and his brother seemed not a bit moved. Invercauld was in a sort of agony, and his lip trem-

bled (as you know it does when he is in great concern), and he hasted to get away from him. Much pains was taken to perswade me I was not tyed in honour; but I hate to drive too near in that point, or to do any thing that looks like shirking and playing fast and loose, whatever be the consequences.

At length, I again met with the two lairds and writer, the minutes being ready for signing. I composed my self to great calmness, and observed it, though inwardly very angry. But I told them calmly and plainly, that I was a frank dealer, as they knew, and would, without any commotion, tell them the truth, that I was ill used by them; and Lord D. and I plainly imposed upon, by those we thought that, as gentlemen, and who had received not a few former favours, and still profest great kindness and respect to the familly, would not have hurt it so signally in its present circumstances. They said the rent would never answer in mony to the agreed price, and that they would gladly give a nineteen years' tack at a smaller rent; but they acknowledged that they valued the priviledge of killing deer and roe, being heritably deputy forresters, and thereby entitled to the generalls warrands for carrying arms, and were afraid of strangers, and especially men of power, geting the forrest, which would hurt them vastly; and hoped I would continue so good to them as not to do it. I answered, that, as their goodness to me was very extraordinary, it was merry enough to talk so on this occasion; that if all these things were so valuable to them, and that others would pay for them, why should not they? And they knew that the familly could not spare such summes at present. That by holding me to my word, Lord M. losst on the forrest about £500 sterling; and since I took not the legal priviledge of resiling, if they came not up to the price or made a handsome compliment, I would declare them the most ungenerous men alive; and that I hardly believed there were other two gentlemen in the shire of Aberdeen who would use me so. Their answer was that I had made the bargain with them allready. In short, we signed the minutes, and left them with that worthy gentleman, Charles the writer (whom I may probably remember), to be sent to the country to Lord D. to sign them. As I left them, Invercauld was so modest as, with a trembling voice, to entreat me still to get Alnaquoich and some servants of his kept out of the Porteous roll, which before he had

desired of me without any concern. When I left those three, they got their cousin young Finzean, and went to the tavern, and made merry.

Mr. Erskine, the sollicitor, and other friends, got notice of this, and are downright enraged at it, and sent an express to Lord D. with letters, to shew him he is not obliged to sign, and ought not to do it. That I was too nice; for a plain cheat and imposition being discovered before signing was sufficient in honour to loose one from a promise. That he was still at more freedom, not having been present at concerting the papers, nor having then agreed to the bargain, as I had done. That there are things in them which were not talked of with him, and so he was at freedom to sign or not, such as killing deer and roe, building in the forrest, feeding swine in it, &c., and these are things which they say quite evacuates the reservation we made of hunting, &c., since they must quite destroy the game. What Lord D. will do, I know not. But, I am satisfied, he may, according to strict honour, refuse to sign; and, had I thought myself so situated, I would not have signed.

Let me end this long story by another passage. When Lord D. proposed the Castleton to Invercauld, he made some objections to the terms, but it was plain he was for it. I told Dun we should end that with him before he got the forrest, without which he thought none would buy the Castleton for want of grass; and, therefore, if both were not ended at once, he might think to put his own terms on us for the Castleton. But Lord D. seemed not touched with this, and hurryed out of town. When I spoke with Invercauld about the Castleton, after I saw he resolved to hold me fast about the forrest, he told me plainly that he would not come up to our terms. But he will be disappointed; for I think to get our own terms though his honor should have the forrest; and, if another will but give as much as he, can any mortall say that his honor of Invercauld should be the man after what has passt?

I have wearyd my self and you with this long narration, because the affair may produce some noise, if Lord D. refuse to sign; and I wisht you might at any rate know all particularly. Since they thus catch at advantages, what is it to us who gets the forrest, if we get the more mony? Certain folks coming there may hurt the Farquharsons, but can not hurt us, for they will be our vassals too; and, be they never so strange, can not in any occurrence endeavour to impose on us more

enormously. And, when these gentlemen do so now, what would they not do when they have more power in the country? Would the breaking or diminishing their power there hurt any but themselves, since thus they proceed with us? To pay but twelve thousand, instead of twenty-one thousand merks is a terrible odds.

Earl Aberdeen and others are asking grazings of us.

The letters from the sollicitor and others to Lord Dun were wrote, and in the hands of the express to go off with them, before I knew that any such were wrote, and to be sent to him. It was with some difficulty they told me, fearing I would stop them. But I saw not why I should; and you may see my reasons by what is above.

I own my fault in not writing back to you about the mony. I knew not what to say till we should see what would become of some bargains; but I ought not to have neglected to tell you so, for which I hope you will pardon me.

As to what I owe on my own account to Invercauld, he wrote to me before he came up, and has here said to me, and indeed very civilly, that, if uneasy for me to pay the wholle at Whitsunday next, he would only ask the half; and we agreed that it should be so. As to that gentleman's procedure ever since I had business with him, it makes me think him of a pretty mixt character. He seems still to be the best of them, and to have more of something like knowledge and a gentleman. But there is so confounded a predominancy of Highland vanity, want of right knowledge of the world, avarice, and a weak jealous mind, that I cannot help thinking on four lines in Rochester,—

> Half learn'd, and half witty, and half brave,
> Half honest, which is very much a knave;
> Made up of all those halves, you cannot pass
> For any thing entirely but an ass.

It is not hard to see through all these gentry; for their own vile Highland maxims are become so familiar to them, that you need but set their minds and tongues a-running without contradicting them, and in the heat and run of their discourse, they will tell you all themselves. But I have known others, who by their stations and education should be wiser, yet so much immersed in knavery by long prosperous practice, and their minds so debauched and corrupted, that, as if they had losst the very

ideas and notions of honesty and honor, they have blabbed out what at least, in prudence and decency they should have concealed of themselves. I had very strong instances of this sort from both the Invers, when in the Highlands in the year 1725. Each of them separately were at pains to explain and vindicate to me their conduct in the year 1715. I did not wonder at their conduct; I had in former affairs seen enough to make me think it like them. But till then I scarcely immagined them so hardened as to repeat their scurvy, ungenerous, dishonorable maxims by way of vindication, and shewing their parts and dexterity. They are certainly such as that neither King nor country, benefactor nor friend, can rely on them: but private Highland interrest, pursued in the way of the greatest deceit and basenes, will carry them over all these. And it seems those people have not of late only been such. I was still more surprized at the account which Invercauld gave me of his grandfather's conduct, when King Charles II. was at Scoon before Worcester fight, when my grandfather by the King's command wrote to him (he shewed me the letter) to bring down the men for his Majesty's service. This behaviour was all the vilest double Highland cunning, which yet the laird spoke of as great wisdom. And it was droll enough that, some days thereafter, talking of Clova's odd freedoms, he told how once being his bed fellow, he awaked him to tell him that his grandfather had then behaved like a rascall.

But pray reflect on the conduct of the late Earl of Braedalbane, Glengairy, &c., and you will see that our gentry are not singular in the highlands.

You will certainly conclude from this I am so angry at what has now happened that all these things come again in my mind. I cannot deny it. But still the things are true.

But these more publick affairs have carryed me from my own business. Since I agreed to pay Invercauld £200, at Whitsunday next, I find I must of necessity then pay £400, and three years interrest for Earl Kintore. The two concurring unexpectedly straiten me vastly, especially since I must so very soon go to London. Could you, by the man you wrote of, who had mony then to lend out, or by any other, help me to the £200 for Invercauld? It will be a very great favour, and ease me of a good deall of trouble at a time when I have enough on my hands, at any rate. I'll use no arguments with you to endeavour it. I believe I

would wrong you if I but suspected you needed them. I am convinced that to some men the bare proposall of doing good offices to a friend is enough. My dear Petodrie, you are not a highlander.

How entirely I trust to you, the freedom of this very long epistle shews. Lord send it safe to your hands, and keep it from all other eyes but yours. Adieu, my dear.

Letters for me, under cover, to Thomas Elliot, writer, at the Insurance Office, Edinburgh, will come to me, wherever I happen to be, whether in Scotland, England, or Flanders. If in the last, tell me what to say to your son. But letters from this to London, or forreign parts, are very often opened at the post-house. Therefore, be cautions. Once more, dear sir, farewell.

II. Lord Grange to Thomas Erskine of Pittodry.

Edinburgh, 14th June, 1731.

Dear Sir,—I came to this town on the 5th of this month; and having gone down to Norfolk by the way coming from London, I was about eight days on the road. I thank God I am in very much better health than I was when I went to England in Aprile.

I troubled you so particularly with the intention of my journey, that it is just to tell you how it framed with me.

I chused to converse ten or twelve times with Lady Mar before I spoke of her case to any body. My opinion of her was, that she was sound in judgment and memory, but very vapourish, low in spirits, and easily dismounted. Yet her friends over seas having been informed she was mighty well, and I knowing what a rout Lady Mary Wortley would make on my begining to stir in the affair, I wisht to have also the opinion of others about her. Mr. Bailie of Jerviswood's family came to town from Bath; and, as they had long been intimate with my lady, they several times saw her, and judged her very well, and that she ought to be liberated. One day, Mr. Baillie's daughter, Lady Murray,

having been out of town with Lady Harvey (wife of that Lord Harvey who last winter wrote the pamphlet against Mr. Pultney, and on Mr. Pulteney's answer fought with him, and was wounded), at their return passing by Lady Marr's lodgings (which are out of the town at Knightsbridge), they made her a visit together; and, having sat a considerable time with her, went thence streight to court, and there said publickly, and particularly to Mrs. Howard, that Lady Mar was quite well, and that it was a shame to keep her in her sister Lady Mary's custody, who was not so wise as herself. This allarmed Lady Mary, and made her call those two ladies my confederates, though then I had never spoke with Lady Harvey.

But my main endeavour was to get the other friends of the familly of Kingston to approve of Lady Mar's liberation, for which purpose I applyed to Lord Gower, among others. His lady (now dead) and mother of his children, was Lady Mar's youngest sister. He has a good character among the generality of all partys, but is Torry; and you will see his name at all the Lord's protests, and he was made a peer in the end of Queen Anne's reign. I believe the present court wishes to gain him. At my desire, he went and saw my lady; and I told him my own oppinion of her, as I have wrote it above; but desired him to converse with her, and then use his own judgement: and assured him that if he thought not her well enough to be liberated and go to her familly, I would make no attempt for it; and, if he said she was well enough for it, I would take on me all the trouble of prosecuting it. This way of proceeding with him defeated Lady Mary's odd endeavours to perswade him that I intended slyly to get him to oppose her, and to be an evidence for me before Lord Chancellor. When he saw her, he was not of Lady Mary's oppinion, but thought Lady Mar vastly recovered, and indeed pretty well; but he desired that, before I applyed about her to Lord Chancellor, I should get her to be among company, at least such as she had formerly been familiar with, such as Mr. Baillie's familly, because Lady Mary made that to be a sort of test whether she was recovered or not. This I undertook to do, and accordingly did.

But Lady Mary perceiving how things were like to go, did what I was allways afraid of, and could not possibly prevent: she went in rage to her poor sister, and so swagered and frighted her, that she re-

lapsed. While she was about that fine piece of work, Lord Erskine happened to go to Lady Mar's, and, in his presence, Lady Mary continued to this purpose with her sister: Can you pretend to be well? Don't you know you are still mad? You shan't get out of my custody, and, if Lord Grange and his confederates bring you before Lord Chancellor, I'll make you in open court, in presence of the world, lay your hand on the Gospell, and swear by Allmighty God, whether you can say you are yet well. Your salvation shall be at stake: for, remember, perjury infers damnation, your eternal damnation. So soon as I was informed of this, I assured my lady (and so did others) that in law no such oath could be put to her; and that Lady Mary had only said so to fright her. But so strong was the fright, that nothing we could say was able to set her right again. And Lady Mary, having thus dismounted her, came again and coaxed her, and (as I found by diverse instances) strove to give her bad impressions of her familly, and every body but Lady Mary's sweet self. Yet next day Lady Mar went and dined at Mr. Baillie's in town, and there saw a deall of company, and behaved very well; and Dr. Arbuthnott, who, among others, saw her there, said he thought her very well; and, had not the turn happened you will presently hear of, he and Dr. Monro (son to Mr. Monro who, at the Revolution, was Principal of Edinburgh Colledge, and is now physician to Bedlame,) and Dr. Mead, were to have gone to her with me next day and afterwards, that they might have vouched her condition before the Chancellor. I believed it best for me not to be at Mr. Baillie's, that all might appear, as it was, free and natural, and not conducted by any art of mine; only I went thither about seven at night, and found her in a room with Ladys Harvey, Binning, Murray, Lady Grizel Baillie, and others. She was behaving decently, but with the gravity of one that is weary and tyred. Mr. Baillie himself, and other gentlemen and ladys (a great many being in the next room), now and then joined us, and she seemed not in any thing discomposed, till the conversation turned on her sister's late insult, which it was visible gave a shock to her, and disconcerted her; and when Lady Murray and I went home with her to Knightsbridge, she was so dumpish that she scarcely said one word. When I went to her next day, I saw how strongly Lady Mary's physic wrought, and dissipated her poor returning senses. She had before urged me earnestly to proceed faster

than was fit, to get her before the Chancellor, and do every thing needfull for her liberation, that she might go to her husband and familly. But now she told me she would not for the world appear before the Chancellor; and that neither she nor any other must make oath as to her recovery (at this time, indeed, it had been a very bold oath): and that she preferred her souls salvation to all things; and, among other things, she said, what a dismal condition shall I be in if, after all, the Chancellor send me back under Mary's government: how shall I pass my time after such an attempt? In short, she was bambouzled and frighted quite. But that her head was really turned by Lady Mary's threats of damnation farther appeared by this instance: Lady Grizel Bailie and Lady Murray having gone to take leave of her (their whole familly is gone to Spaw), when I saw her next day, she gravely told me that Lady Murray was no more her friend, having endeavoured. when taking leave, to deprive her of all the comfort left her, the hope of heaven; and though (said she) I was bred to the Church of England, and she to that of Scotland, yet merely the difference is not so great that she must pronounce me in a state of damnation: and she asked me seriously what Lady Murray had said to me of her being to be damned? Never in her life, Madam, answered I, did she or any London lady speak to me about salvation or damnation; but I'm sure my Lady Murray loves you as her sister, and heartily wishes your happyness here and hereafter. Then she gave me a sealed letter for Lady Murray, beging me to deliver it and bring an answer. I read it with Lady Murray. It was long, and all expostulating why she pronounced her to be damned; and said many odd things. Lady Murray's answer was the proper one, short and general, but very kind, which I allso delivered; and Lady Mar said no more to me on that head. Before she took this turn, perceiving her so vapourish and easily disconcerted, I would not venture to put the case wholly on perfect recovery, but stated it allso as I really thought it, viz.: recovered from all that could properly be called lunacy, yet exceeding weak, and apt to be overturned. And I had prepared a memoriall in law on that supposition, which I was to have layed before Mr. Talbot, sollicitor-general, and other council, the very day she took this wrong turn; but, thereupon, stopt alltogether. At parting, she appeared to me as one who, fearing to provoke a worse fate by attempting to be better, sat

down in a sort of sullen despairing, content with her present condition, which she (justly) called misery. Thus seemed she to be as to any sense that remained with her, but all her sense was clouded; and indeed fancys which now perplext her brain were, like the clouds, fleeting, inconstant, and sometimes in monstruous shapes.

What may next happen, and what may at length be the upshot, as to Lord Mar's familly and affairs, none but he who knows all things can yet tell. That Lady Mary will do all the mischief in her power there is reason to believe, from her character, and what has passt. Let me tell you one odd passage of her. She got a very civil letter from Lord Mar, wishing all quarrels might be foregot, and that, as a relation, she would rather assist him either to get home, if possible, or otherwise to get his wife sent to him, and assuring her that, if he got home, he would live inoffensively to the M—ry. At the same time, in a letter to another, he sent a compliment to Lord Gower. Lady Mary, knowing since she first seized Lady Mar that I would not let her scold on my Lord, and speak impertinently of him, and wanting it seems to give vent to her fury, sent for Lord Erskine, and told him that his father and uncle were the two greatest villains alive, and scolded us to him most outrageously for more than an hour. Her evidence against both was to the same purpose. Your father said she wrote to me he would, if at home, live inoffensively to the M—ry, yet, at the same time, sent a compliment to Lord Gower, who is not in their interest. And your uncle goes to Sir Robert's levee, and converses with his friends, and yet every other day is with Lord Gower, though, being on the place, he cannot but know he is in with Sir Robert's enemys; and this very day, said she, I know Gower is at Lord Bolingbrook's country seat, dining with him and Sir William Wyndhame. She said it was a nonsensical answer that neither father nor uncle dealt with Lord Gower in polliticks, but only about Lady Mar as her relation; and concluded, with rage, that we were both rascalls, said many other ridiculous things. But so ridiculous were her accusations that they made no impression any where, and the voice of the public was against her. I wish her success had been as bad on her unhappy sister.

One cannot but ask, after all this, how comes it that such a person is suffered to go on so unreasonably and mischievously? Pardon me not to attempt here to give particular reasons; but all are summed up in that

one verse, Ecclesiastes, 5th chapter, 8th verse. I thank God I have never yet found myself inclined to be so discouraged by any disappointments or difficultys as to despond, or like men in a sinking ship, to quite helm and tackle, and wait their fate without working. My philosophy in that case is this: every one cannot have always a good hand deallt out to him at cards, nor an easy or prosperous part alloted to him in a tragedy or comedy; but he does well who plays his hand and acts his part right, whatever it be, and at the conclusion perhaps the odds as to one's reall happyness, even here, will not be found very considerable. But, as there is better and worse, one is to endeavour for the best, and contentedly enjoy what he can attain to. But, since one is to endeavour for the best, he is to endeavour not to be in so poor (*i. e.* so low and defenceless) circumstances, as that he and those he acts for may easily have judgment and justice violently perverted against them. The prospect of such circumstances made me take in my head what I have more than once spoke with you about, as to your shire and districts; and the event shews I did not judge amiss of the circumstances that might happen to our friends. I wish the remedy proposed may in due time be got applyed, and made effectual, *Tentanda via est.*

I had your letter at London about D. Argylle's recommending your son, which would have been attempted had there been any hope of success. He is now here, and, if any good appearance of his undertaking cast up, it shall not be neglected.

Lord K[into]re writes to me that G Keith is at length to go out to Keithhall, about his chamerlane accompts. It is more than time. Lord E—ne said he would have come down with me, but that the regiment he is in is to be reviewed by the King, in a few weeks; after which he promised to come to Scotland. I wish he may.

I believe your conversation with Invere—d has made him ashamed of the affair about the forrest, for Lord Dun tells me he gave up his minute. I am glad on't, on account of his own character; for I think him the best of the set.

I had, on Thursday last, a letter from Sir Arthur Forbess, dated 26th May, desiring my concurrence and assistance for Overhall's being collector of the cess. It was new to me, and I wondered that I had neither heard from you nor Overhall about it. But Lord Drumore (to whom Sir

Arthur desired me to speak of it, as one that is for Overhall) tells me that the election was made, on 1st June, of Gordon, the former collector.

You was exceeding good in taking so much trouble about the £200 I was to pay last Whitsunday to Invercauld. I beg to know what has become of it, and how it now stands. I did not find Mr. Reid, of Goodman's Fields.

I'm ashamed of troubling you with so very long letters. This could not easily have been shorter. I beg my most humble service to your lady. May contentment, peace, joy, and wellfare, allways accompany you both, and your familly.

I referred Lord Pitsligo to you for an account of my journey. Let me do the same as to the upshot of it.

To Mr. Erskine of Pitodrie,
To the care of Mr. James Irvine,
Advocat at Aberdeen.

III. Lord Grange to Thomas Erskine of Pittodry.

Dear Sir,—I wrote to you some posts ago, on several heads, and particularly about the mony; and, before that letters had come to your hands, I received yours of the 8th. I need not say more about the mony than was in my last, as to Mr. Hunter. It shall be either payd to him, as your former proposal, or sent to yourself, as you think fit.

It is very late now to write an answer to what I had from you about the professorship, that was before the last Assembly. It appeared very plain that it was not a business belonging to ecclesiastick cognition, but to the civil courts; and neither for our own sakes nor for our country's ought the Divines to be suffered to medle beyond their own sphere. It is now to come before the Court of Session. I know little or nothing of the cause, but that it is a civil and not an ecclesiastick one.

As to the affairs of the shire, I could not see that my medling this time for Overhall would have done him any service, but must have involved me in a manner not at all desireable, since you agree that if all those who were added for Mr. Gordon come to the election, they would carry it. I cannot think that bearing the charges of a few of them in going to the election would come to such a summe but that it were worth Gordon's own whille to give it, though Earl A[berdee]n should not advance a penny of it. Mr. Grant of Grantsfield has wrote to me of the compromise betwixt Overhall and Mr. Gordon, which is all the information I have had of it from any mortall. However, I am glad it is done. Overhall wrote once to me, that my writing for the compromise to Earl A———n might help it on, but I believe it had been very unfit for me to have wrote to his Lordship on that head. As to the next elections, I thought that both Sir A. F. and Sir William K. had promised, that if Lord E. stood, they would join for him; and it would appear, by what Sir A.'s lady said to you, that she thought her husband would stand to that promise. Others doubt it much. And as to Sir William, I see by some very odd letters from him that he intends to be soon among you, and to stand at any rate, *contra omnes mortales*. But I suppose he can do little service to any body, and as little hurt but to himself, which he seems to be bent upon. But don't mention that I have seen his letters. I wonder that Bracco should set up for Aberdeenshire, if what his friends here say be true, that he is sure of carrying it in Banffshire. I don't at all like the situation I am in about these affairs; I know not how nor what to speak to any body about them. I hear allmost nothing from Lord Er—ne on the head, though I have wrote to him. What then can I say to any about him or for him? He has indeed been bad for some time. When he gets his health fully (he is much recovered), I hope, by what he lately wrote to me, with a greater air of seriousness than usual, that he will at least so far mind his own interests that his friends may venture to act for him without the danger of being affronted; and the great reel which has been at London seems to have cast men into a kind of quandary and uncertainty about their measures. Our members of Parliament of both Houses will now be quickly here, and one will know better what to think. In the meantime, I beg to know from you, whether our friends, and such as are willing to be of the number,

may not be perswaded to keep themselves undetermined for a while, that we may see how things go; and I would think it a favourable topick with any people whatsoever, that they ought not to limit and predetermine themselves so long before the hand, and, especially, at such a time as this. In geting people to keep themselves up, you will do me a very good office; and I'll be much oblidged to you for it. There are severall things on this subject that I must not write by post; and I'm sorry that I shall not for a considerable time have occasion to see you. We must do the best we can in this world; a bad enough one, God knows. I'm sure it is so to some.

I hear Monaltrie has owned his being in the wrong to Captain Grant, and has given bond for the bygones, &c. He might once have had a better bargain. He must certainly be what he called himself, a very weak man. But I'm glad that affair is at an end; and I wish they may now be good friends. I believe I wrote to you before what was my oppinion about the suit in Sir Alexander Burnet's name, concerning the Hill of Fair. I still think it was not a subject of debate and probability, but of demonstration. This minds me once more to beg you to take the trouble of what I wrote in my last to you about young Finzean. If I should pass it over without any more ado, Udny and his friends would readily say that I was for pushing it only against him, but not against others; which yet I am not, but for pushing it against any who really injured me; and this Finzean seems so adicted to tell storrys, that it appears necessary to give him a check.

I'll be glad to hear from you soon. My most humble services to your lady and daughter. I am, dear Sir, yours, &c., (signed) J. E.

Edinburgh, Munday, 18th June, 1733.

I believe Lord and Lady Kintore will return to Keith-hall very soon. What is assigned for the reason of their staying so long here, I do not know, and cannot guess, since so very odd lies on all subjects are dayly forged and spread about.

IV. Lord Grange to Thomas Erskine of Pittodry.

Edinburgh, 5th and 6th August, 1733.

Dear Sir,—A friend is known in time of need, and I leave it to your good sense whether this be not such a time for the familly we are both come of, and for me in particular.

I beg you to consider, without wearying, the following particulars, being but a part of those I could produce to the same purpose; and then judge if we must not exert ourselves at this juncture, or sink into obscurity and contemned insignificancy, and consequently sink also in fortune, and be extiguished. I fear it will be a long letter, but not more than the matter requires.

E. Ilay and I, after our comaradship, during our studys at Utrecht, lived in friendship, and his brother Argylle professt much goodwill for me, now about thirty-three years ago; and both of them have often acknowledged that I never failed them, nor gave them just cause of complaint.

When they fell out with the Court, in Queen Anne's time, the Duke being ordered to sell his Guards to Earl Dundonald for £7000, Earl Mar prevailed with the Queen to give him £3000 more, which Argylle owned to be Mar's favour, and, vowing never to forget it, continued to live in a kind and frank way with him till Ilay came from Scotland; but, a few weeks thereafter, gave up all correspondence with him, as Ilay allso did, and declared highly against him.

Ilay went to Scotland before the new parliament, and, in defyance of Mar and all in the Queen's service, said he would be of the sixteen. But he soon found his mistake, and then began to make up with Mar, by my interposition. But finding the war, which he himself had needlessly and haughtily begun, would be continued, and that he would not be of the sixteen, and acknowledging the kind and friendly part I had acted to him, he entreated that our friendship might not be interrupted by his quarrel with my brother Mar, and proposed that we should solemnly promise faithful mutual friendship, in all events, which we accordingly did, and struck hands on it. I told my brother that I had done so, and he, who was good natured and generous, did not blame me for it, con-

sidering my long comaradship with Ilay; and assured me he did not wish him ill, though he had injuriously quarelled with him.

At Queen Anne's death I put Ilay in mind of our promise, and he owned I had honestly observed it when we were in power and he in distress; and I told him that now the tables were turned, and so his time come to shew the same firmness to it. His answer was so doubtfull and shifting, that I told him he knew how I had behaved, and he would do as he pleased. Two or three days afterwards, he said he wonld shew his friendship to me, if he did not find it would hurt him; a declaration only honest in openly professing a dishonorable and ungratefull reservation.

Yet even this being too good to be kept, he went in a few days to this Earl Marchmont, then Lord Polwarth, and a Judge, and offered him his assistance to get my place of Justice Clerk; which Polwarth rejected with indignation, and expressed his astonishment that he would treat his friend so, and one whose behaviour deserved advancement and reward from the royall familly, then come to the Crown, and not to be degraded. Ilay, smoaking I bad been told this from Polwarth, came to me with a silly disguised account of it, and said he had done it only to try whether Polwarth was my friend.

We were all soon at London, and the King came from Hannover. Ilay shewed me no countenance, and Argylle shuned to see me; yet Ilay boasted to me of his interest with the King, and said he was sure if his Majesty were informed of my character and conduct, it would not be in any body's power to hurt me with him. I answered, that his Lordship was the best hand to do it, and saw he might do it safely and effectually. He was pleased to desire me to excuse him, because the speat (as he contradictorly asserted) was too strong against us, who had been in the Queen's service, for him to interpose for me. I could not forebear to tell him that he himself had acquainted me he had allready effectually interposed for Tom (now Barron) Kennedy, who had been Queen's Advocate, and obnoxious to all the Presbyterian party, which I was not, but that his Lordship, it seemed, had power over his own promises.

I was hurried out, but wanted to have my character known to the King, and to get a private audience. The late Bishop Burnet did me that favour very heartily, which Ilay, geting notice of, did then come and offer me his service for that purpose. I told him it was done already; but he took care to have an audience just before mine, and, as he came from it, pre-

tended to me he had said many fine things of me, and for proof, desired me, in speaking to the King, to refer to what he had said of me; but I did not think it safe for me to do so.

I had no farther dealling with him nor his brother till after Sheriet Mure, that Ilay visited me, and made much such a declaration of his worthy friendship, as he did at Queen Anne's death; and I among the crowd made a bow to Argylle in the Abbay, whose court being then fallen, I was taken notice of.

The prevailing party was violent against the Argathelians and the forefeited; and I medled with no publick business, but did my best to preserve from ruine the forfeited famillys of my friends and relations, to whom the Argathelians being forced to shew some countenance in opposition to the court, I was thereby again brought insensibly among them; and to this day they all acknowledge I was usefull and faithfull to them.

They were particularly run down in the Church judicatorys, where most of the clergy, with the usual honesty of clergymen, run headlong against the weak, and servily crouched to the prevailing. The Argathelians, of consequence, favoured Mr. Webster in his prosecution of a court minister and professor of divinity, Simson, for Arminian and Socinian doctrines. Without regard to either party, and little noticed by either, and quite unengaged to both (for this was before the disputes about the forfeited estates), I, as a member of the Church courts, was against Simson; and, they say, contributed somewhat to his condemnation, in spite of the support he openly had from the leading clergy and court. This brought the Argathelians first about me; and, unasked, they made me the strongest professions of esteem and friendship. And, for some years, all of them, from their two great leaders, downwards, acknowledged their obligations to me; and swore that, when they came to power, I should be chiefly regarded. The duke and all of them (but Ilay) appeared to be hearty and frank in this: but, though Ilay put on the same countenance, yet there seemed to lurk something of reserve and backwardness.

They gradually returned to court favour; and the chief men then on the bench and at the bar being either Dalrymples or Squadrone, and the Argathelians, having few or none they could recommend, pitched on me for their person, and extolled me at Court, in opposition to the Squadrone, and particularly batled the objection of my being Earl

Mar's brother; and urged that the irreproachbleness of my own conduct and character, notwithstanding of that weight on me, was an invincible argument in my behalf.

Whille they were in this strait for want of hands, and there being great appearance that soon considerable posts in the law would be vacant, which their ennemys would be put into, I was wrote for to London; and the intention was, that I should be personally known to such great men as Earl Ilay thought fit. I accidentally fell into the acquaintance and favour of some others, but open and unsuspected friends of their party, at which I perceived Ilay a little uneasy, and he laboured that I should speak with none but in and through him. It was impossible for me to observe this absolutely, without disobliging those great men. But I manadged it as cautiously as I could, and let Ilay see that my dependence was still on himself, not by words only, but really by my conduct. Yet I have found, that from thence his favour (which still had been under reserve,) did diminish, though he seemed to keep the same good countenance towards me.

I found these great men very favourably inclined towards my brother, and heartily wishing that he might be pardoned, and brought home; which, though Ilay also pretended, it was plain he did not wish so much as they, nor had he then near so much power as they were possessed of. They were Englishmen. I could not miss to improve this as far as I could, and it was then that I first set a foot my negotiations for that purpose, and had good ground to hope not only for his full pardon, but for such favour as would have relieved and established his estate and family. And to do justice to those great men, they continued firmly in that way to the last, and even when Wallpole (with whom Ilay's favour dayly encreased), did turn against it violently.

I went to London again in order to get the estate of Mar purchased, wherein Argylle seemed hearty, and Ilay concurred, but kept at great distance from my brother's being restored, and it was not hard to perceive his unwillingness of it.

During all this time I run their errands and fought their battles in Scotland, and the Squandrone reckoned me one of their chief enemys, and accordingly treated me both here and at court.

As a good step for the father, and to get the boy himself brought into business, and to be promoted, I endeavoured to get Lord Erskine brought

home. I communicated this immediately to Ilay, and begged his commands and directions about it. He entreated me to get it done, and assured me of all the good offices and service to him in his power. He came over accordingly in the month of January, and was introduced by Ilay to Wallpole; but they kept him hanging on there till August without doing anything for him, or so much as leting him kiss the king's hand, or see any of the royal family.

This made me not a little uneasy, and he having come to Scotland and returned to London in February, I soon followed him, and expressed to Ilay my astonishment that Erskine had been so used. His answer was odd, that they thought it best to delay introducing him to the king till they knew what to ask for him. It was a bad answer though they had been under that strait, as they were not, for they could easily have given him a handsome commission in the army, which he desired. I went with Ilay to Walpole's, where, conversing about this and several things, and geting many good words, Walpole said, at length, well, I'll have this thing done presently, and I think (said he to Ilay) it was an ensigncy that you proposed for him. How? said I; he is already a captain in the French service, and I hope you propose not to degrade him. Others coming in, stopt the conversation, but returning with Ilay, I told him roundly how he had desired me to bring over Lord Erskine, and promised him great favour, how he had been put off, and now they proposed to affront him. He said it was only a mistake of Walpoles, and that I should not be uneasy, for he was sure to get it right by one word's speaking.

In a few days, he told me that he was sorry to find Walpole obstinate, and that he would not yield to anything but a pair of colours. I was again with both of them. Ilay was silent. Walpole, among other things, said it would disoblidge Earl Loudoun, (who asked a company for his son,) and Earl Stair, (who asked one for his wife's son, and could not get them,) if one was given to Lord Erskine. I answered that these young lords had never been in the army, and so must begin ensigns, but Lord Erskine was already captain, and could not, in honour, accept of less, and that I would refer it to Earls Loudoun and Stair. Both of them went to him and declared for me, as did allso the Duke of Argylle, for which Wallpole was angry at him.

His next pretence was that the king would not do it, for though good

natured, and even content to pardon all the rebells, had a peculiar resentment at Earl Mar and Lord Lansdown, and said they had cheated him, and he would never pardon them. I answered that it was hard to alleadge this after Lord Erskine had been desired over on the promise of favour, but that if the king would let anything be done for him, I did not believe he would give him a thing to his dishonour, and insisted to have the case stated to the king himself. It was done, and the king said their proposall was absurd and ridiculous, and Lord Erskine should and must be a captain, at least.

Six weeks passt in this manner, and till the end of this fine dispute neither Lord Erskine nor I could see the king. But a day was appointed for it, and I insisted to be introduced by myself, (because I resolved to speak of business, and therefore would not have the time consumed by pratle about Lord Erskine's travells,) which was at first yielded to, but then tricks played to have us hurried before the king together, which, I thank God, I had address enough to disappoint, and so got an audience allone by my worthy friend, Lord Townshend. It lasted about half an hour, and was so contrary to the pretenees of Wallpole and Ilay, that had that king lived, affairs had gone very differently with me and Lord Mar's familly from what they have done. But he went abroad in two days after and dyed. As to the pretended quarrel at Lord Mar, it was a downright lie; for the king having with great humanity asked me where he was, and how he did? Said that though he had done more against him than any man, yet he bore him no grudge, and would grant his pardon as readily as to any who had been in the rebellion, and, in the mean time, would do good to his family and son, and to my self, and, as a beginning, had ordered Wallpole to give Lord Erskine the first vacant company.

Ilay's turn to this was confident enough. When he heard what the king had said to me at the audience, which he artfully endeavoured to prevent: Courage, said he, Grange; by G—d, Wallpole has been mistaken and we'll get our affairs done still! Wallpole own'd the king's orders for Lord Erskine, and bid me tell him to look on himself as already in the king's service, and presently to give up his French commission, which he did.

The King's death put a stop to all, but still the providing for Lord Erskine was owned by Wallpole to be a debt of honor on him, yet he did

not pay it; and, at length, I was told plainly by Ilay that it could not be done till he was in the Parliament; and though I represented that it would cost him to be twice elected, yet still it was insisted on that he must be first in Parliament, and, therefore, if he had not got into Parliament, nothing would have been done for him. And it was also said that the present king had an aversion at his father, though the lie as to the last king had been so shamefully confuted, and though all the Argathelians assured me of his favour to our familly when he was Prince of Wales.

Lord Erskine was in Parliament a considerable time before he got a company, and then was re-elected. At the reduction of the troops, he was brought to half-pay, as youngest captain in the regiment, and waited long before he got another company; and though he has gone along with them as fully as their other slaves, he has never had the least favour nor countenance, except that company, which was wrung from them in spite of infinite tricks and lies.

While things went thus, another heavy incident happened. Lady Mar, in very bad order, was unhappily sent to England with her daughter, and thither I went for her relief, and met with most injurious usage from her sister, who secretly was (and now is notowrly) a favourite of Sir Robert Walpole's.

Being assured, even by my sincere friend, Lord Townshend, that it was in vain to ask my brother's pardon, I beged only their countenance in relieving his wife, and, with Sir Robert Walpole's own approbation, sent her to Scotland. But on the road, she was seized by Lord Chief Justice's warrand, procured on false affidavit of her sister Lady Mary, &c., and brought back to London, declared lunatick, and by Lord Chancellor (whose crony is Mr. Wortley, Lady Mary's husband) delivered into the custody of Lady Mary, to the astonishment and offence even of all the English (Sir Robert among the rest); and Ilay pretended to be angry at it, yet refused to give me that relief, by the king in council, which, by law, was undoubtedly competent.

Thus Lady Mar, with £2000 sterling yearly out of the estate, was in the hands of our foes, and there was no remedy but to get Lord Mar's pardon, for then he could legally claim his own wife and her estate. Townshend most honestly and earnestly was for it and, indeed, everybody but Sir Robert; but Ilay was so cool, that I expostulated with him plainly, that if he did not act better, I must reckon him against me.

At length Sir Robert allso seemed friendly, and all advices to or from Lord Mar were sent in the packets betwixt Sir Robert and his brother Horace, then Ambassador at Paris, and who was civil to Lord Mar; and Sir Robert's servants brought the letters to Lord Erskine's lodgings, and from thence the returns were sent to Sir Robert's to go in his packets.

The first rub I met with in this affair, was a pretence that Lord Mar had, at Paris, talked of Sir Robert as influenced by Lady Mary, and a certain lady her companion, which he said was to make him ridiculous at the Court of France, and to the forreign ministers there, whom Mar had access to. This was a lie, yet insisted on for several weeks to stop our business. And, in the meantime, kind things were said to me; and the President of the Session falling sick, I was told I should be his successor. I took this to be thrown in to cool me in acting for my brother, which I thought I could not in honor (nor could I according to my own heart) relinquish; and I gave them hearty thanks for their goodness to me, but assured them that the favour I wanted was my brother's pardon.

Notwithstanding Sir Robert's anger at Lord Mar's pretended speaking of him and Lady Mary, and that I contradicted everybody who spoke of them, I got a message that my brother would not be pardoned, except I would find good baill at London, that if he was pardoned, Lady Mary should still have the custody of his wife, and that I should pay her £200 yearly.

I was forced to yield to it, and was providing my baill, but still the affair stuck, till there came repeated letters from Cardinal de Fleury to Monsieur de Broglie, the French ambassador at London, to insist for Lord Mar's pardon, and to act for it in concert with me, which he did very honestly.

Having one day, at Hampton Court, spoke for it very earnestly to Sir Robert, he told me that Sir Robert had spoke so much good of me, as one of the best judges in Scotland, and firmest to the government and him, and most in his heart to promote, that if he had a favour to ask from the knight, he would desire me to speak for it. I answered, that words without deeds were of no value. Then the ambassador said I was to blame for concealing from him the bargain I had made for Lady Mary's custody of Lady Mar, and getting £200 yearly after Lord Mar's pardon, which he said Sir Robert told him, and bid him write it to the cardinal

as what he and I had agreed upon, and which he did write accordingly. I told him that I was forced to submit to it, and durst not tell him because of Sir Robert's wrath at the pretended speaking of Lady Mary and him before, and I wondered how he came to tell it himself, and even to the cardinal, which was the same as to the French king.

You can not but think it strangely senseless, as well as impudent, that after all this the affair still stuck; and Ilay told me from Sir Robert that Lady Mary would not take the £200, but would have £300, without which the pardon would not be granted. I was forced to submit, and told Monsieur de Broglie of it, when he asked me whether my affair was ended? He fell into great passion, and swore Sir Robert by proceeding so, after what he had bid him write, had affronted him and his master, and that he would represent it so to the cardinal whom he had slighted, as well as he injured me, for the sake of his b—wd, his b—ch, Lady Mary.

After the £300 was yielded to, I hoped all was clear. But then it was said they could not venture to let Lord Mar home, at any rate, and so all was blown up at once. After many wimples and turns, Ilay said at last he had found an expedient, which was to give him a pardon, on condition that he should not return without an express leave from the king, under his sign manual. A pardon that should still leave him abroad, and his wife, with £300 yearly, in Lady Mary's hands, seemed of small value, but it made him again a free subject, who might be safely corresponded with, it preserved £700 yearly of the estate, and was a step to get more, and therefore I yielded to this too.

To my surprise and vexation, the affair still stuck, and I went to Sir Robert, who put on the silly air of pretending even to me, who had got messages from him, and whom he had spoke to in behalf of Lady Mary, that he would not be troubled with our private affairs, and had nothing to do with Lady Mary's business and mine. Yet at length he told me she was still uneasy, but he would speak to her to be softer. Then both he and Ilay told me that she would have £500 yearly. I answered that I submitted the whole affair to Sir Robert, (and, pray, what else could I do?) and would give her whatever he would tell me he thought reasonable, and he fixed me, most generously and modestly, at £500 yearly, though he swore he did not believe she would lay out £200 on Lady Mar.

I thought I was at length at an end, but Ilay came and told me that Sir Robert would at no rate give the pardon, except Lady Mary consented

to it, and if she (said I) keep her prey, and get the money, what is her concern farther? Will Sir Robert so openly declare her influence? He advised me to be silent, and wait till he returned from her, and then reported to me a long impertinent conversation betwixt them, which landed in her ladyship's consent foresooth.

The court was by this time gone to Windsor, and many a journy thither it cost me; and after infinite pretended scruples, shifts, and evasions, at length I was, by Sir Robert himself, sent to London to get the attorney or solicitor general to draw the pardon, which I did, and carried it to Sir Robert, who approved of the draught, and bid me carry it to Townshend, in whose office it was to pass, where it was fairly transcribed and docqueted for passing, and the memorial about it for the king was prepared; and I was directed to go to London, and return in four or five days, that I might receive it and carry it to the sealls.

But instead of receiving it, Sir Robert told me in wrath that he would have nothing to do with Lord Mar, that he had dealt ill with him, and he should not have his pardon, and he would by no means give me any reason for it, but Lord Townshend did, whom they had stired up; for he in anger told me Sir Robert had intercepted his letters to me with very odd things in them injurious to Sir Robert and his friends, which Townshend said was hard on him, who had appeared so warmly in his behalf against Sir Robert. But I soon pasified Townshend, and he afterwards acknowledged that he believed all was forgery, trick, and imposition, and that they had cheated him, for they never ventured to let him see these pretended letters.

My Lord Mar vindicated himself from this lie as much as the nature of the thing and their keeping it in the dark could admit. But still it was insisted on. They owned that the letters had never come to my hands, and that I was innocent, and that my behaviour had been good.

I was complaining one day of this usage to Sir Paul Methwen, who had been secretary of state, and had then a post at court, and had all along been my friend. I can not forget his answer. They have opposed you by lie after lie, that they might cheat you in pretending friendship, and yet undoing you, but you confuted them all. Now, you are oblidged to them for concealing this last lie, that it may be impossible for you to confute it, for if you did, then they would forge something against your self, and bring you to Tyburn, rather than not prevail against you.

I found it so in some measure. I insisted no more for the pardon, but since my behaviour was owned to be good, I entreated that on my account something might be done for the family for which I was so deeply engadged. Soon after this Ilay, with cloudy looks, began to make insinuation of some discoverys against me too, and at length told me that Sir Robert said he had also intercepted bad letters of mine to Lord Mar, but confesst they were not directed to Lord Mar, and neither subscribed by me nor in my hand of write, but that by the contents they knew them to be mine to Lord Mar. I answered that they might assert what they pleased of letters said to be directed to me, and which they owned I had never seen, but that I must know of letters wrote by myself, and that I ever wrote any such was a dammed, villainous, malicious lie, and let Sir Robert or any else be the asserter of it: who ever did assert it was a liar.

After this it was no more said openly, but they continued to whisper it about, and insinuated it to all who offered to speak in my behalf. At length, and with very much pains and expence, and opposed by repeated tricks, and vexations, and lies, I got a setlement made with Lady Mary, and obtained two small grants for Lord Mar's familly (one of which has turned to no account), which I was only glad of that thereby I might be in some terms with them, and not be farther pelted and exposed to their wrath.

To tell you many of the odd things I have met with since, would swell to a great bulk. But I bore all, and put the best face on them I could, chiefly because of Lord Mar's anxiety to get leave to come home, and and live abstractly from all affairs, and die quietly in his own country. I allso hoped by patience and prudence to overcome all difficultys, though the odd things that every now and then were done towards me, made me often allmost dispair of it.

I come to what is latest, just before I went to your shire. Ilay being here, I applied to him about a certain change in my condition, which he promised heartily to concur in, and directed me to the means of accomplishing it, and said he could lay ten to one that Sir Robert would be for it; and he added to my proposal that I must also be in Parliament, and layd down a way for my geting into it very soon, though a way that I as little liked as it seems he sincerely intended. He promised to push it, and to write of it to me from London, but he never wrote one word of it to me.

The dispute about the collector of your cess had happened, of which I spoke to him, and he entreated me to join in it, and promised me all

the support in it he could give. You know I did concur in it; and though I own it was not because of his entreaty, but on your account and other friends, yet still he did ask it of me, and promised his assistance, and said he would leave orders with Lord Miltown to write in his name about it to such as it might have influence upon.

At my return to Edinburgh, it was with difficulty that Lord Streichan (who was not then in their secrets) and I could prevail on Miltown to write to the sherief and magistrates. At length he did it, but so superficially that we were advised they had done little service, and therefore we urged him to write again, which he refused, exeept Ilay would renew his orders to him: and though I argued that it was impossible for Ilay to retract after engadging me in the quarrel, yet he persisted to refuse. Miltown afterwards went to London, and I soon followed and renewed my application to Ilay for his letters in that affair. I was shifted strangely from time to time, but at length told plainly that he would not; and the worthy reason he gave for it was, that he had learned Collector Gordon was Jack Midleton's cousin, who layd it greatly to heart: one can not help their friends, said he, but Jack is quite mad about it. I answered, that his madness should not make others so, and that I could not have thought he would engadge me and then leave me in the lurch for Jack Midleton's madness. In short, he would neither write nor bid his man Miltown write, but said he would write to Streichan to go to the election; yet you know Streichan absented, and in a very wrong manner.

When I talked of his odd usage to Ilay's other favourite and creature, Will Stewart, he answered pretty haughtly, and, indeed, not like his way, which commonly is smooth. But Jack Middleton assured them, and they believed, that I and my friends had losst our interrest in Aberdeenshire by opposing his cousin Gordon. I smiled, and said, it seems to have been so intended, but you may yet see we have not losst it.

I allso renewed the proposal of the change of my condition, of which he desired me to talk with another of his servants, our cousin, Charles Erskine, the sollicitor, with whom he said he could speak freely. I did so, and after I answered all objections, I was told that, if I could find a right man it would be done, and they told me that your friend W. G——t was a right man. He was then in London, and I deallt with him not as if I was the person (though probably he suspected it), but one whom I would undertake for, and he was willing to be the man. Perhaps they

did not believe I would have prevailed with him, and then would have had a plausable excuse; but when I had prevailed, they soon objected to the man they had themselves proposed, and said that Sir Archibald was so blown upon they could not name his brother to a post: yet at the same time they were openly and avowedly protecting Sir Robert Sutton, who was as deeply in as Sir Archibald. I desired them then to think of another who would be to their taste; and then they said it was in vain, for Sir Robert Walpole would not allow it to be done at all.

Such has long been their way, to profess great friendship to me and the familly that both you and I belong to, and much readyness to do us good, and seemingly to propose better for us than we do for ourselves; but when it came to the execution, to prevent the doing of it by shifts, tricks, and lies, and when beat from them all, to give a refuseal. You will see this plainly by several instances above narrated: and I know still more such. Why should we any longer be used so, and submit to those who have treated us so unworthily, and shewed no ground to expect better? Why should we sit still and let them trick us into poverty, contempt, and insignificancy? Why should we suffer them to ruine our interrest everywhere? Those who will not open their eyes by what is passt, must be resolved not to see, or must be enemys in heart to the familly we belong to.

Before I went to London, leave was asked for Lord Erskine to go to Aix la Chapelle, for the rich marriage that there offered to him. He could not go without leave, because member of parliament and officer in the army. They could not have the face to refuse it flatly, but most cruelly and unhandsomely postponed it from time to time, on sham pretexts, for seven or eight weeks, and when I got to London, it stuck at a most ridiculous sham of Ilay's, which even Sir Robert Walpole disapproved of. But Ilay having all Scots affairs put absolutely in his power, he must be pleased or nothing can be done; and though he sometimes pretends to be for a thing, but cannot bring Sir Robert to let it be done, it is as errant a sham as when Sir Robert says the same of the king. I would not be put off with that silly sham, as Lord Erskine was, and so at length got his leave; but it cost me two or three weeks, and hard labour.

My brother was very desirous to see me before he died, and I having shewed to Ilay, who pretends so much skill in physick, the account of his

case, and the oppinions of the best physicians both at Aix and London. I beged him to get me leave to go and see my dying brother, and especially since the affairs of his familly were in my hands, and that it could give no suspicion considering his condition. He owned that he thought his recovery impossible, and his death near, yet had the hard heartedness to refuse me leave to go see him; and I waited at London till letters came from Lord Erskine, at Aix la Chappelle, that nothing could be done in his marriage without me, the estate being in my person. I shewed these to Ilay, and told him I must and would go; for, since bound in great summes for that familly, and was not to get it from them, they could not hinder me to go seek it where I might have it. At length I got leave; and thereupon kissed the hands of the king and all the royall familly. But by these strange and unkind delays, my brother was so near the end of his troublesome life that he died in less than four days after I got to him; and thereby the intended advantageous marriage for Lord Erskine took not effect.

I wrote to Ilay, the sole disposer of Scotts affairs, of his death, and beged he would get me allowance to send his body to be buried at Alloa, among his ancestors, according to his dying request. It was so long before I got any answer at all, that I was looking about how to have him decently intered, near to Aix la Chappelle. But at last I got an answer; not, indeed, from Ilay (which it seems would have been too great respect to my brother's memory), but from his creature, Will Stewart, who very briefly wrote that the Earl of Ilay had received my letter, and being just going to his country house (not far from London) for a day or two, his lordship ordered him to tell me, that he knew no objection to my sending my brother's body to be buryed at Alloa. This was all I had for it; a permission that could not be sent to Scotland with the corps. Nor had his lordship caused any way intimate this permission in Scotland; and when they arrived in the Road of Leith, his creatures in the custom-house pretended to seize them, and to hinder the buriall of a rebell's body, and it cost our friends here some pains and trouble to obtain them. Thus, when they could do no more to Lord Mar, they disgraced his poor dead body all they could.

When I returned from the Netherlands to London, my reception by Ilay was very cold and dry. Yet, on the news of Lord Binning's being near his death, I minded him of his many promises to Kintore, and desired

that post for him. He flatly refused me, and said it was their maxim never to give one a post that had been in his familly, least he should pretend a right to it. I told him that I had known that maxim made use of against those they had not a mind to do for, but easily got over when they desired to be oblidging; that I never had importuned him for any thing but Lord Mar's pardon, which was a matter of importance ; but that Lord Kintore had an estate he could live on very well, and if they gave him nothing I would not be the person to trouble them more about it.

I came from London resolved to deall no more with Ilay, and therefore it was uneasy to me to find myself here like to be engadged in a quarrel with the opposite party by that silly story of Finzeanand Udny, which is now over. On the same account I was much averse to the dispute about the Collector, foreseeing that a breach might probably happen with Ilay, as I once expressed to you riding through your shire. And now that you have read what is above, (to which I could add more,) you can not wonder that I suspected it, but rather that it did not happen sooner. That dispute, you know, was begun without my advice or knowledge, and that I was draged into it reluctantly. Now, God be thanked, it is at an end.

When the storm began against Sir Robert Walpole and his creatures by their most pernicious excyse bill, and never till then, Ilay wrote to me that he would get the knight marshall's place to Kintore, Lord Erskine restored to the honours of his familly next session of parliament, and wrote very kindly concerning my self. Thus a new scene of tricks and bambouzle was begun. I thereupon renewed the proposall of changing my condition, and put it in two or three different shapes to avoid the objection which it was pretended Sir Robert Wallpole made to it, and assured him that my circumstances needed assistance, which, by his present power, he could easily afford, and hoped I might expect it for old friendship, and the faithfullness which he knew I had observed to him. I wondered that he again mentioned the restoring of Lord Erskine's honors, since in the former propossal of it I told him that it would be to his hurt and his familly's, except they first made him a British peer, for as a commoner he can hardly be kept out of parliament, but as a Scot's peer could not get in but by the meer favour of the ministry, and that he (Ilay) himself used to regret his being a Scots peer, and to wish earnestly he was a commoner.

About two months after this, as the storm was vastly encreased, and the elections much in view, he wrote to me another letter in a more kindly strain, as if Kintore was presently to get his post, and pretending to be much moved that I am not in a more happy situation, and assuring me that while he had influence and power it should be employed for me and my children. He said that Sir Robert Wallpole would not do the thing I desired, but he would still urge him. Yet he took no notice of the proposals I made, that put it clearly out of the case that Sir Robert was pretended to object to, and Charles Erskine, to whom I had allso wrote, acquainted me that by what he could find they would not do that thing at all. Charles allso wrote that on Kintore's being knight marshall, I was secretly to get his pension, and as much another way as would make me better than when I was justice clerk, and my son, Jamie, was to get a post, and all when Ilay came to Scotland.

I, indeed, took this to be promises to train me on as formerly, and that dissappointments would be thrown in in the old manner; but I waited till he came down. Kintore got the knight marshall's commission, and he was bid assign his pension of £200 yearly (which yielded but £173 6s. effectually), which was allso done; and Ilay told me that he had stole this for me, the king, who was so hard to give mony, knowing nothing of it; and that he was sorry this pension was not £400, for he would have got it with the same ease. But hardly a word of anything else for me or mine, and not one word to me of the elections in places where I was concerned, nor of any business whatsoever Yet he spoke to others as if I was chiefly in his favour, and some of his creatures said it. Some, and those who knew least of him meaning my good, and his more intimate creatures, quite the contrary: and thus it came to be said in the town.

At length I told him that I must have a conference with him, which I got not till the last Thursday of July, after the session rose, at twelve, and in the session house, just as all were gone out of it, which encreast the report of my being in great favour.

I talkt to him first of the elections, especially in your shire. I put him in mind that I had wrote to him for his directions, and got no return, but to keep my friends every where from engadging: that afterwards I wrote this to be impossible, when so many others were applying in particular, and that it was to loose my interrest, to which I got no answer

at all, and therefore entreated it now. His answer was so dark, doubtfull, and wavering, that I knew not what to make of it; only he said, in general and coldly, that he wished Lord Erskine was for Aberdeen, rather than another. Which, I said, I hoped might still do, though he had kept us too long back from seting him up. After more wavering dark stuff, I said that he seemed not yet resolved; and begged him to think on these matters for a day or two, and give me his answer. He catched at this, as one does at what delivers him from present pain, and said he would do so.

Next, I talkt to him of my own affairs, about which he was as extraordinary as could be. After many turnings, and wimples, and windings, it came out at length (for I followed it closs) that I might despair of getting my condition changed. I told him next that Kintore's post and pension both was no more together than had been frequently promised to him; that I expected he would have kept them both; that I did not at all like to get mony in this shape, as a louse feeding on my friend, and had been made expect much better things. That I had been his friend and humble servant more than thirty years, and believed I had been faithfully so in all changes; and, whatever ill offices any had endeavoured to do me with him, he knew I had never insinuated the least against any that he favoured, nor hurt any of his friends. He wimpled and winded about and about, but all landed in this, that Kintore could not have more than his place; and better I get his pension than a stranger (which is but words, for all pensions of equal value are in every respect alike), that he wished he could steall thrice as much for me. And, as I said that I must be very unfavourable if nothing could be got for me but unawares and by stealth, Oh, no, said he, it is not that; but it will be odd indeed, if, in six or seven months, I do not pick up something else for you, and you have this in the meantime. And, as to your son James, I'll certainly get him an employment seven or eight months hence. I told him that he had promised it three years ago; that his power was as great now as it could be some months hence; and that I had allready been put off from month to month, and year to year, and then disappointed by one accident or other, and even by things that one could not have thought would have obstructed my business, when he (Ilay) was so earnest for me; and that if his power

(who, as he confesst, had the sole manadgement of Scotland) was not sufficient to procure kindness for me, it was time for me to despair of any farther favour whatsoever, as well as of the change of my condition which he himself had encouraged me to expect, and, to make me desire it more, had held forth the great advantage it would be to me. Among other odd things, he told me that my eldest son was allready provided for, and taken off my hand; and asked where he was. I told him he was a lievtenant at Gibralter, which I owed meerly and only to the kindness of two collonels in the army and a small summe of mony; and that he could not immagine a lievtenant's pay would maintain him, and that therefore he was not off my hand, which he confesst. The truth is, Ilay had never moved one step for my son, nor seemed in the least to regard what I said of geting a commission for him. He declared to me strongly, that never had one man behaved more honestly and faithfully to another, than I had done to him and his friends; and that my conduct at all times had been irreproachable. I bowed, and said, that, should I get nothing else, I was glad I had got a good character. To give a finishing stroak to his bambouzle, he told me that he had none to act for him in this country but Miltown and me; yet he never speaks nor writes to me of any business, but to shamm me (as you have seen) about my own; and, these three or four years past, has visibly to all the world drawn off by degrees from all familiarity with me, and has dropt me even from his conversation about trifles or mirth. I could give you many strong instances of this.

I met with some whose friends had told them Sir Arthur Forbesse's conversations with them since he went home, and had letters from others he had spoke to. He said he had asked at me whether Lord Erskine was to stand for Aberdeenshire, but had got a dark answer. He did ask me, and said that if Erskine stood, it would be in vain for him to stand. And I told him plainly the real truth; that I had often wrote to my lord to know his intentions in it, but had not got an answer; and that, so soon as I did, I would acquaint him by letter. Sir Arthur told these gentlemen that he was resolved to stand whether Lord Erskine did or not. That, before he came from London, Ilay bid him stand, and promised him his support against all that should set up; and desired him not to doubt his friendship because of his quarrel with

Duncan Forbes, for he had acted very well that session of parliament, and he loved a young fellow that went through stitch, and he would support him.

Next day I met with Ilay, and asked him whether he remembered what had the other day passt betwixt us about Aberdeenshire and Lord Erskine. He began with the same doubtfull bambouzle as before; said that he would rather have Lord Erskine there, but really knew not well about that shire. I told him I was much astonished at what Sir Arthur was saying and doing in it, and told him what I had learned as above. By G—d, says he, that is a very pratling boy. Why the devil does he speak so? Every one, said I, can not hold his peace when it is convenient. I order him, continued his Lordship, when he came from London? By G—d, I did not so much as see him when he came off, nor knew the day. I answered that Sir Arthur had not said he received his Lorship's orders the day he came off, nor had named any time, but in general before he came from London. He again repeated that he was a damned foreward pratling boy; but really, said he, Sir Arthur behaved very firmly to us in parliament, and is not a bad man. No, said I, he was, so far as I knew him, a very good lad, and I was in friendship with him. Well, said Ilay, faith we must have somebody to oppose to Earl Aberdeen, and since Sir Arthur has begun, we had best support him—come Grange, shall we not. I answered that his Lordship would do as he thought fit.

Now, dear sir, match me this with anything you ever before heard of; was not this just the chase of a fox who, after all his wiles and hidings, was caught by the taill? He asked me what I was doing as to Stirlineshire? What can I do, said I, since your Lordship bid me only keep people unengadged. Pray, said he, write for Harie Cuningham to come to town that we may talk of it. I told his Lordship that he was still at London. G—d these things are strange, said he; yes, my Lord, I answered, they are very strange indeed.

Could I need any more to determine me fully to have no more to do with this man, and to perswade me that, under a very thin mask of friendship, he is an enemy to us all, and was driving at our ruine, and to cut us out every where? As yet his interest in Aberdeenshire is a trifle. If he get his Sir Arthur returned, he will have an interest in it, and it will grow. If this be not layed to heart presently, we shall soon be made to repent it.

I have since got some ground to believe that he is secretly seting up one in Stirlineshire. I'll try to be at the bottom of it.

Laying all these things together, I thought I had but one game to play, which was to seek other friends that would be glad of us, and let Ilay see we are not insignificant, nor would be any more cheated, oppressed, and ungratefully and insidiously abused by him. To set up by ourselves, without other assistance, is what neither me nor any kindred in Scotland are able to carry through. It happens well at present for our purpose that the opposition to Sir Robert Wallpole and Ilay is stronger and more rooted than, perhaps, it was to any ministry since the Revolution; and greater numbers of peers, and considerable commoners engadged in it, and most of the noticeable burrows, and the town of London to a man, and high church, whig and dissenter, closely united in it, and all their own disputes buryed in this common presure. I saw some remarkable proofs of this myself when at London, and it is prodigiously encreased since, and grows every day in spite of Sir Robert's endeavours, and mony, and power. He has certainly rendered himself obnoxious to the law, and hatefull to the bulk of the English. He has ruined trade and heaped up wealth exorbitantly, by dissipating and grossly embazeling the publick mony, by vile stock jobing, protecting openly every rapacious villain, and all the gross horried frauds in the trading companys, to the ruine of credit, the vicible hazard of undoing the nation, and to the reproach of it over all the world, and, at the sametime, betrays us to the insults of every forreigner who ventures to attack our trade ships and plantations. He wants friends and assistants more than ever minister before, yet dares not trust anybody but his brother Horatio and Ilay, and every day sets the administration on a narrower bottom, and he stands only by his favour with the queen, and by her allone has any with the king, and is abhored by the rest of the royal familly. He makes bold schemes against our libertys, as was most certainly his excyse scheme which he pushed like a mad man after England, and the towns of London and Westminster, particularly where the parliament met, were on the point of an insurrection against it, and seems to be turned so like a king as not to know the state of the nation, but by his underling flaterers, who shape their intelligence to his inclinations and their own little private views; and in many things both he and Ilay proceed like men drunk with power and infatuated of heaven.

Ilay used sillyly to boast, some years ago, with a haughty disdainfull air, and to cry (I have heard him), where is now the Squadron and opposing party ? have I not annihilated them ? It had been strong enough and vain enough to have said he had buryed them. But they have had a resurrection. The excise scheme on the back of so many other grievous things, the threatning speech they made for the King at the end of the parliament, the violent measures of resentment for differing from them in parliament, and turning out men of the best characters, Chesterfield, Cobham, and very near Scarborough, &c., has awaked men from their lethargy. Among us seem to be firmly united against them Tweedale, Aberdeen, Stair, Roxburgh, Montrose, Marchmont, Duke Hamilton, Duke Queensberry, Dundonald, &c.

Having so full and long proof that Ilay was not our friend, and underhand ruined us, and that Tweedale, Stair, &c., were glad of us, I resolved to join them, which I have done, and Aberdeen and they and Roxburgh are under the strongest engadgemets to me ; and I'm sure (as I think) of Montrose, who is yet in England. As we can make their elections go clear in several places, so can they ours, in spite of all that Ilay and his Jack Middletons and Miltons can do. And we have engadged to mutual assistance, in every place, and they to me in a particular manner, not only as to elections, but other things, if Sir Robert tumble. And on this foot I'll have good English interrest, which it were too long to explain to you here.

I would not engadge with them, and yet keep in my pocket Ilay's pretended favour (which in reality was an affront) of a private stoln trifle of a precarious pension. I went to him, and in the civilest way in the world gave it up to him. He said he hoped I was not turning angry. I answered, that I believed he had never seen me more calm and undisturbed. He beged me to keep it, which I absolutely refused. He came over his old cant, to which I made proper answers. Among other things I told him that, for some years, he had been at pains to perswade me of Sir Robert's aversion : and though he said Sir Robert would do any thing for us he desired, yet nothing was done that could handsomly be accepted, nor like to be done, which shewed the aversion to be stronger than even he could remove ; that it could not but be uneasy to his Lordship to have us to support, even against his own great patron, Sir Robert, and that therefore, in civility to his Lordship, I had better

release him from the trouble. He asked me whether, now that I went to London, I would go to see Sir Robert, and said he would write to him to be very civil and kind to me. I answered, that his letter would not probably prevail more than his speaking did when he was personally present; that I expected nothing from Sir Robert; and that the Court being at Hampton, where Sir Robert would be, I should not have occasion to see him.

The story of his (pretended) speaking to no purpose was this. Before I came from London, in November last, he bid me wait on Sir Robert at his levee. I told him I had allways done so, but was not in the least noticed, nor had so much as a smile or gracious nod from him. But, said he, I promise you I'll tell him to take particular notice of you, and to assure you of favour, and that he will do for you; which (said his Lordship) will make my game more easy when I ask any thing for you; and he bid me come to him, that he might carry me to the levee in his coach. This was done, and I set myself in Sir Robert's eye, in the front of the crowd that surrounded him, and Ilay was by, and looking on. Sir Robert came and went by me, without the least regard. Ilay slipt into another room, and, that I might not wait longer in so silly a figure, I made up without being called to the great knight, and told him I came to testify my respect, and to ask his commands for Scotland. His answer, with a very dry look and odd air, was, I have nothing to say to you, my Lord; I wish you a good journy. I saw Ilay afterwards, and he said there was nothing in it. Sir Robert had only foregot, and I'm sure (said he) he will do for you what I desired him. I answered, that it was odd if he would do when he would not speak at his desire; that the forgetfulnes wss no less odd of one that had so often been in his company, and in business with him, and but twenty-four hours before recommended by his chief favourite, who was present, and looking on.

What did he mean, after procuring me this slight, to talk to me of writing, and that I should go again to him? Can such usage be bore even by the spirit of a poor mouse! and does not Ilay carry to me as if I was a fool, or that he meant to provoke me? But why should I be better used than the rest of our familly? and should any of the familly bear it? Some do, and for their particular interrest, and little nasty scraps and promises, truckle and fawn, to the ruine of their character, and at length it will be to the ruine of their interrest. And indeed they

seem to join in bambouzling and abusing their friends. Spare me from naming them. I hope they will recover their senses; wish to God they had never acted as they have done.

Lord Dun is heartily with us, and will do all he can in the shires and towns he has interest in. So will his neighbour Earl Strathmore, whom Ilay has tryed in vain to gain from his cousin german Earl Chesterfield, who is likely to be among the first men on a change, as he is now in the house of Lords, and for influence in the country, and he has great affection for Strathmore, to my knowledge, for I'm acquainted with Chesterfield.

I must of necessity set out for London with Lady Fanny next week, and were it not for these affairs, had gone this. Had it not been for this journey, I would soon have been with you, but if you will exert yourself against these oppressors of the familly we belong to, and enemys of Britain, my present absence will not be great loss to the cause. I have much mistaken you if you have not another spirit than the trukler. God forbid I should so unworthily injure an honest man and my friend, as to entertain a doubt of it, or to suspect that you will not heartily concur to get our wrongs redressed, and to pull us from beneath the feet of our insolent insulting foes, who want to trample us down to dirt. For my part, were I the only one of our name and kindred who would stand up against their treacherous insolence and oppression, I'll oppose them happen on it what will; I'll venture ruine and beggery to me and my children rather than truckle under them any more, or not do what I can to give them a cleck.

Drummore and Skeen are with us. Cannot all our interests joined to Duke Gordon's and Earl Aberdeen's carry it with a swing, and run them off the field? To make it appear presently that they are to be defeat, is of great importance not only for next election, but for the ensuing session of parliament, because it will engadge the present members to join in opposing them, and I can assure you they will be attact next session, and if they get a rub, the elections will go all against them; and, therefore, I earnestly beg you to exert yourself presently, and let the nation see that we are not to be domineered over, and slighted by Ilay for his Jack Middletons. I don't doubt but their wrath will be greater against us than any others, as all voracious animals are more fierce against prey that has escaped from them than of fresh game.

As to Sir Arthur, I beg you consider:—1. That he promised at his last election to join for Lord Erskine if he should stand at the next, and yet sets up now against him. 2. That he has gone along in all the pernicious measures of last sessions, and, by these bad means, has recommended himself. 3. That, therefore, he must henceforth be the tool of a wicked party, that have oppresst, and, if continued in power, will more cruelly oppress us and the nation. 4. That he has insiduously joined Earl Ilay and become his slave. 5. That to continue him is to introduce Ilay's power into the shire. 6. That it is to extinguish the interrest of your friends in it, and to render them contemptible at all hands. Surely all other considerations of acquaintance, comaradeship, &c., are but trifles to these, and the breach with him is not on our part, but his own.

Your cousin Streichan seems to be a good-natured man, but has not yet been trusted by his relation Ilay; and both he and his lady go mad at Milton's superior favour, and its being so visible to the world. Last day but one I met him on the street; I perceived he did not suspect my affair. He complained of the way of manadgement, and that he durst not speak, for fear of offending the great favourites, Midleton and Milton; and more to this purpose. But he must and will be draged along by them, and we cannot expect but that he will be against us, though disrespectfully used by them himself. The setlement he made, failing heirs of his own body, is too remote and uncertain a prospect to tempt one into immediate and sure slavery, and the ruine of his friends. Streichan is young, and his lady, though not young, is with child for the second time; and he will probably outlive her, and have children by another. And the way to make you and your familly valued by such allies is to shew what you can signify.

As to Earl Kintore, whille he keeps his present post, I'll not desire him to go against our oppressors. If they have success, they will certainly turn him out. In the meantime, I suppose we may carry on our affairs without his actual concurrence. But I will allways, as I have good reason, live in the kindest way possible with him, and do him all the service I can.

The great difficulty as to you is Earl Aberdeen. You have long cryed out against him, and he against you, and opposed one another. I beg you, dear Thomas, to consider that no quarrel whatsoever ought to be immortal. It is in itself a bad thing. Next, I have known greater and

older quarrels made up on far less occasion. And the wholle world will cry out against a man who would stand by and let his friends, family, and nation, be run down and sunk, rather than be reconciled to one who, at the very worst you can suppose, never did half the mischief as those men have done, and still go on to do. And farther, your chief quarrel was on our departed friend's account. But these men oppressed him whille alive, and affronted and ruined him all they could, and treacherously too, and shewed their insolence even against his poor dead corps; and go on insidiously, as well as insolently, to sink his family and friends. What shall we do? We cannot oppose them alone: must we not join those who only will and can assist us? Earl Aberdeen is and has long been closely with them. We cannot expect they will throw him off: they were mad if they did. Therefore we must be well with him too: and it is equally his interest to be well with us.

As to you, in particular, I have already reconciled him to you, if you be not wanting to it yourself. If you go to him, he will make you heartily wellcome. Let there be no mention of passt quarrels; but that they are buryed never to rise again. Express your concern for your friends and the family we both are of, and the ill usage they have met with, and that you are glad they are off from the oppressors of the nation, and to find them so hearty in opposing them. Express your respect for the family of Gordon, and that there never was a quarrel betwixt it and the family of Mar; and, indeed, there never was that I know of. Tell him that you will henceforth live in all good friendship and respect with himself in particular, and will heartily assist in our present measures as to the shire, &c.; and talk with him about them. I believe he will be as civil to you. I wish from heart I was to be at your first meeting; and since I can not, that some sensible common friend was with you. What if Glenbucket was the man, and that you talkt to him of it before hand? I think it would do well. And for an introduction, and to enter you presently on the discourse, please to read, and seal, and deliver, the inclosed to the Earl.

When any body speaks to you of this reconciliation, and of the way which I (and I hope in God you will) take in these affairs, the same answers, I think, will serve for both, viz.: Quarrels with Lord Aberdeen were not to be perpetual; bad and ungrateful usage by his enemys, and, above all, the vile measures pursued by them now, which, as men of

honour, we could not go along with. If they answer, that Lord Erskine voted for the excyse, the reply is obvious, viz.: One is not to be allways blind; and the best amends is to do such things no more, and to leave those who misled his youth.

The measures I have entered into with Tweedale, Stair, and Aberdeen, in their own names, and taking burden for Roxburgh and Montrose, and their English friends, are mutual assistance in all elections; that Lord Erskine and another shall, at any rate, be in the next parliament; that the places principally in view for them shall be Stirlineshire and the Stirline District of Burrows; that Udny shall be for Aberdeen, and one of Stair's people for Clackmanan, &c. This, we hope, will make these and also some other elections go easily and clear, and by the connexion defeat Ilay in eight or nine places, which otherwise he would have had some chance to gain. Is not this better for our name and friends, than to be poor precareous slaves to Ilay, and to be dropt by him with contempt, after our following him had rendered us obnoxious and contemptible to others also. And how it is possible even to make Ilay himself have any esteem or regard for us, except that by such procedure we let him see that we will not be abused, and are not insignificant.

It is not enough at present to defeat Ilay, but it should be done so as it may appear that our friends had a principal hand in it, and that for two very strong reasons: first, it is proper to convince him strongly that he played the fool in falling out with us; secondly, it is as proper to convince those we now join with that we are significant, that they are obliged to us, and that it is their interrest to keep well with us. And if we don't exert ourselves, at least, as much or more as on former occasions, they will be apt to jealous, and suspect us which would be the worst thing that could happen, not only for the election, but for all our business after it. And if you don't exert yourself, I'm sure it will be imputed to me, as Ilay did when you would not act in Streichan's case, and our present friends will do it no less. They all know the friendship betwixt us, and your warm affection to your friends and the family you are come of, and they will never he perswaded that you would ly aside if I had informed you of the true state of our affairs and bad usage, and how much the significancy or sinking of that family is at stake. When that silly story of Finzean happened, you wrote to me you would never medle more about elections, where nothing but anger was to be got. I answered that you had not

yet been troubled that way directly and immediately for your friends, and I hoped you would except them from that resolve. This certainly is the time, and we can hardly at any time need your kind and earnest assistance more than just now. The interrest of the familly of Mar depends on it, and I'm sure that, in particular, my fortune and future significancey is at stake. I dare say I need use no other arguments with you.

As to the manner of carrying on the opposition, it seems to me of importance not to raill at Ilay at all, nor to give them any handle against us that way. It is unhandsome in itself, and is foolish and silly to put ourselves out of speaking terms with them we oppose. Men who are never so much in the wrong now may come at another time to be in the right; as those who are now in the right may afterwards do wrong. He must have lived a very short while, and had litle experience in the world, who has not seen instances of this. Let us oppose him, (and, I hope, defeat him,) not by railling, but by sollid actions, carried on with vigour and resolution, but civil speaking: though one may very well, and indeed must, on some occasions drop something of their having been in the wrong to us, and must also speak and argue against their publick measures.

I heartily thank you for the list you sent me. I beg you send me now a note of all I should write to, and remark to me any particular thing that may be peculiarly observed to any of them. Dispatch the bearer as soon as is convenient, that I may have time to write, by your directions, before I go for London: a journey that, I hope, will prove useful for our present affairs, as well as for Lady Fanny and my youngest son, whom I am to carry thither to breed for trade or some such business.

I beg you see Earl Aberdeen as soon as you can. He went north from this two days ago.

You know that I am most entirely yours.

V. Lord Grange to Thomas Erskine of Pittodry.

Edinburgh, 1st December, 1733.

Dear Sir,—I was at London before I got yours, of August 27, from

whence it was needless to answer it, nor was I much in condition to write, it being soon after the fall I got which had so near killed me, but I thank God I am now perfectly recovered. I got here with Lord Erskine on the 14th of November, having travelled in coach, which was safest and best for me after the accident I had met with. I could not till now find a sure opportunity of writing to you, else you had heard from me sooner.

I give you most hearty thanks for what you write to me in your last, and as, I hope, I never yet did, I never will make an indiscreet use of any thing you communicate to me, and I perswade myself you will do me the same justice as to all I have wrote or shall write to you, having always wrote and spoke to you with freedom and unreservedly, as one friend to another. And whoever the lady was that said I led you right or wrong, with all respect to her, she spoke groundlessly and unwisely, and might with equall justice say so of any two who are reall friends together.

As to Earl Aberdeen, I shall say no more now, but that I am still convinced it was right for Lord Erskine and me to join with him at present. and necessary for that familly, on account of which you was angry at him. Whatever he could have said of my friend—being but words—must be far beneath the reall substantiall injurys done by others to that friend and his familly for a tract of years, which I need not again repeat, having allready sent you a very full account of them, and with which I would not have troubled you had I not believed it would fully convince you of the justice and reasonableness of my conduct, and made as strong an impression on you as the words of the other Earl could do; nor did I think that either these facts, or my conduct on account of them, could be any surprize to you as an unexpected thing, after what we so freely discovered together about two years ago, when I was in your shire, at which time you seemed very sensible that things might come to this pass, and seemed clear as to what you would do in that event; and sure I have not pushed them to it, but with great patience and pains done all I could, and tryed every expedient that it might be otherwise.

Once more as to the Lady's reflection. Had she known what passed in the late dispute about the collection, she would have said that it was not I who led you, but you that led me by the nose.

Two days before I came from London, I saw Earl I——y, and by some words that dropt from him, and, as I thought, dropt from him unwares, I perceived you had had some communication with him one way or other,

and probably by word of mouth. I knew not till I came here that you had come over to him privately. I could but guess it by what dropt from him. Pardon me to advise you, as your friend and reall well-wisher, if you shall again have such a private jaunt to make, rather to come openly to Edinburgh, as about your own business, than to come privately as if you were going to visit friends on the road, whom yet you do not call at; for this, when discovered, makes people stare and think there must be something indeed in the journey and interview you had with the great man. But, perhaps, I am misinformed about the way of your comeing here. I am only sure that so is it reported by severalls, and not by Earl Aberdeen, nor none of his people that I know of, but by such as have as little communion with him as yourself. I know also exceeding well that reports are often false.

Whatever the great man may have promised to you, or others to report to you, that is really good for yourself or your familly, I wish these promises may be better performed than many which have been made, as due not only in kindness, but justice to a friend of more than thirty years' standing, during all which time they acknowledge that in all changes there was not the least ground to complain of him, but much to the contrary. But favours in such a case look so like a debt, that great men don't much like to acquit themselves of them; and, therefore, you perhaps stand as yet on a fairer foot to be taken care of than I did, and there are some who would rather perform to one whom they would have to work a present job for them, and to hurt an old friend, than to perform a gratitude to such old friend. If they expect any such service from you, I'm perswaded they will find themselves greatly mistaken.

You are not the only one of my friends and relations whom they tryed in my absence, though they did not send so far to fetch them. At some of these they enquired so minutely and indecently (but in vain), as even to ask what were my circumstances, and what debts I owed. One thing was said oddly enough to severalls, that he wondered what I complained of, and what I would be at, and wished I would but tell him that he might know how to please me; and yet I had often told him myself, by word and write, and fully when he came last to this town, both before and after I took different measures from him. And after his having spoken thus to others, when I saw him at London, he owned that, considering his interrest at court, and the light in which my affairs could not but ap-

pear to me, or any man of sense who had no better information, he did not wonder that I was displeased, and suspected he was unjust to me, but he thought fit to assure me that for all this I had been mistaken. If I was, he had for a long time known I was in these mistakes, and why he did not undeceive me he knows best. And yet he spoke to others as if he knew not what I would be at ; but all is too palpably silly jugle and bambouzle.

I write plainly to you with the old frankness, being perswaded you are still my friend, and that what I say or write to you is not to be repeated nor shewn to anybody whatsover, and never to do me hurt. I would desire your indignation, if I suspected you of such baseness.

As to Pitrichie, it is said here that he still stands a candidate for your shire. By what I wrote to you before, it appeared that Earl I——y did not desire him, but Craiggievar ; and if he do yet stand, I take it to be a design to engadge some who would not so easily take on with Sir Arthur, and then try to join forces at the election.

You are best judge of what is for your interest in the shire, and what you may expect by Sir Arthur, after what he said to you at his last election about Lord Erskine, and how he has acted for all that. But I'll say no more about him ; and it would be good for him, both here and at London, if others would be as sparing to speak of him as I am.

I have troubled your Lady with a letter about your son, as he has entreated me to do, which no doubt you will see, and, therefore, I need not repeat it. That of his being promised a commission, which you mention in your letter, I know has been told here by some who deal with you, and since, as you write, 27th August, the first vacancy was promised to him, he ought to have had it (and might have had it twice or thrice) before now. But for the reasons I have mentioned above, perhaps they will do for him ; still, I am told you had some discourse about it when you was last here. I do assure you, I shall be very glad of anything for his reall good.

Lord Erskine is just now making a tour through the shire of Stirline, accompanyed by some of his own and some of Duke Montrose's friends. As yet, the appearance, both in that shire and in the towns he just now represents, is very good. H. Cuninghame was asking, and like to obtain a post that would have been secure, and freed him from the trouble of parliaments and elections, and did not intend to have come to Scotland at

this time; but now his masters have sent him to oppose us; and if he comes not to use the now only prevailing argument of the courtiers, I think he can do us little hurt, except it be to put us to more trouble and expense in expresses, riding about, and such like. He has carryed very foolishly and indiscreetly to me, and though probably he has pleased his court masters by it, he has hurt himself, and done us good by it in the country. The account of it is too long to set down here.

The friends of the court here pretend that the spirit which had been so strong against them in England was for these three months much abated, which is a very great lie, as one who has been lately in England cannot but know. The opposition, I believe, is stronger to the ministry than ever it was since the Revolution, not only among the lower people, but allso among the considerable peers and the generality of the gentry, and among the considerable towns, and all the traders and merchants. This appeared at Michaelmas last, when the mayors were chosen for the ensuing year, and who will be the returning officers of the members for the towns to next parliament. I shall but give you at present two instances of towns: Rochester joins to Chatham, where the navy lys, and in which there are great numbers who have profit and places by the court, yet the far greatest part even of these voted for a mayor against the court; and some of them told their threatening masters that they despised their post and profits, in comparison of assisting to have an honest parliament. The court was defeat, and one who is of the country party was chosen mayor by a vast majority. This town is in the county of Kent, in which there are other places allso where many depend on the court for the posts and employments of themselves, and their children and friends; and in all, there goes about thirteen members from that county, and of these there are about nine or ten reckoned sure to go against the court. I have good authority for it; that is the word of men of honour speaking gravely and seriously to me all alone, and not in a publick rant, that it is not better for the court in many other places, and bad for it in the far greatest part; and I'm sure it is the general oppinion. The town of Westminster is the ordinary residence of the royall familly, and of courtiers and treasury, &c.; and lately the chief magistrate of it made a great entertainment to many of the principal and leading voters in behalf of the court's two candidates, Sir Charles Wagger, the admiral, and Sir Robert Clayton. After warming them with meat and wine, he proposed these two healths as candi-

dates to represent them, which the company unanimously rejected, and said they would drink to them as private men, but hoped for men of better principles and firmness for the country to be their representatives, and yet none of the country party had then set up for that town.

At the beginning of last session of parliament there were but five lords who openly opposed the court, and are therefore spoke of with particular applause and honour over all England: viz., Mr. F. Tweeddale, Earls of Marchmont, Stair, Chesterfield, and Lord Cobham, and during the course of that session their number grew to 75, and the turning some of them out of their employments avowedly in resentment of this has rendered them and others more firm for the country, and exasperated multitudes at the ministry. The three Scots lords are particularly praised for acting so honestly, when the Scots peers and commoners have been long so slavish that now they are openly curst in the streets as a pack of mercenary villains who, having betrayed their own country, do now help to ruine all Britain.

In short, the present strugle is generally spoke of as for our libertys and trade, and the necessary defence of Brittain against an insolent and rapacious minister who has kept us under the expence of war in time of peace, yet hindered us to fight to vindicate our trade, so grossly violated by Spanish roberys, and when we could have put a stop to it, and corrected them without drawing upon us the arms of any other nation, maintained his hollow and expensive peace by rediculous contradictory treatys, tying us to take part in all the quarrels of Europe, and sometimes to be on both sides, and, at the same time, allowing confederacys to go on so powerfull, and which we are not of, that now when a war is breaking out we know not where to turn us; laying plots to devour the land by new swarms of officers in the revenue to put the merchants stocks in the possession of these vermin, and trade under their power, &c., as by that most damned excyse scheme; openly protecting the frauds and villains that plunder the stocks, and ruine multitudes, and must sink the kingdom; plundering the revenue, and using all his art, and power, and bribes to stop any enquiry into, or the least amendment of these things, either by parliament or otherwise; openly rediculing all vertue and uprightness; enhancing all power to himself and his brother, and suffering allmost none else to do or know any thing; bare faced and avowed bribing of members of parliament and others, and boasting of it; heaping up immense wealth to him-

self and his most object profligate creatures of both sexes, whille the publick treasure and trade of the nation is ruined; suffering and encourageing these locusts to get large bribes, and giving considerable employment at their recommendation, whille men of merit and service, and of the best famillys and interrest, are neglected or abused, employing insignificant brutes or the greatest rogues, and favouring allmost none but such; maltreating and insulting all whom his rascalls and jades complain of. But the list is too long to go through with here. Such is thought to be the case of Brittain, and that another such obedient seven years' parliament will necessarly compleat our ruine, and deprive us of power to help our selves.

Don't immagine that I write all this as one offended at the courtiers, and willing to irritate you against them. I do assure you I tell you what is the common cry, and for all which many and repeated instances and proofs are produced, which persons of undoubted honour and truth averr that they know to be true or have felt. On this do whig and torry join, and all denominations, so that court and country is now the only division heard of, except in the mouths and pamphlets of the courtiers, who labour to keep up the old distinctions to spoill that union of all for the common cause of Brittain.

I know very well that the case is as I have now told you, yet I am not of those sanguine folks who therefore think that the country must now prevail against the court party. I well know the weight of a court, and the many disadvantages they labour under who strugle against it on the plainest grounds, and backed by the greatest numbers. And I know the geddyness and corruption of our age, and how readily a party is divided and men brought over to the court, or to weary of their opposition and drop it. Yet I know too that a long oppresed, injured, and insulted, abused people may pluck up a spirit, and surely it is unworthy of a man to be on the side of the insolent oppression and ruine of the country. And though I know very well that the court may still prevaill, yet there was never a better appearance nor occasion in my time to stop their career, and get things set on a better foot.

That the opposers have secretly in view, under specious pretences, to advance themselves in the room of others, and then may turn as bad or worse, may be said in all cases, and to persuade us to permit all villains to continue; and it is often true that what is objected is really the case.

But one will not forbear the cure of a great disease, because afterwards he may fall into another. The body pollitick, as well as the naturall body, is lyable allways to diseases, and proper remedys must be applyed as they happen.

This letter is more than one half longer than I thought it would have been. The subject drew me so insensibly; and after this I'll be on my guard against such length. This letter is too free not to be burnt, and then it cannot accidentally fall into other hands.

VI. Lord Grange to Thomas Hope of Rankeilour.

London, 17th January, 1740–41.

Sir,—Two posts agoe I received your letter, dated the 6th of the moneth. I would have answered it immediatly; but wishing to give ane answer that would satisfy reasonable and equitable people, I beleived it better to wait so short a time as a post or two, in hopes to learn some of the particulars of the complaint. When I gott your letter, a gentleman was dayly expected in this town with whom I heard you had spoke of it, and at his arrival I waited on him as soon as his time allowed. By him I've been told some of the particulars I should have learned from you; since you say you write to me in order to prevent judicial procedure. But you write only generals, which none can answer with satisfaction. You tell me that ye write to me by the advice of lawiers, and I believe it; the advice is like men of sense and honour; and, in justice to them, I think I am intitled to ask that you give them my answer to read.

I wish you had advised with these gentlemen sooner; for, on the same principles of justice and honour, and good will to all (who are not a few) that are concerned, they would have advised you, at least, to write to me before that by your means (I know none else who would or could done it) strange storyes were spread over all the town of Edinburgh, and made the talk of coffee houses and tea tables, and sent, as I have ground to apprehend, to several other places of Great Brittain. I'm willing to impute this to your want of consideration and rashness; for, in itself, its very injurious to me and my childeren, and all interested in them, and to several others who deserve more regard and respect: and the welfare

of the person you say you have so much concern for could not have prompted a considerate man to take such a course.

I beggin my answer by putting you in mind of certain facts, which ye cannot have forgott, and which will be remembred by several persons of distinction, and known integrity and worth.

After suffering for a long time, and as much as possible hydeing the weakness and outrages of that person to me and the childeren and friends, and when they could no longer be endured, nor kept from public notice, you know that I talked seriously of this to her own relations, and that they advised with some relations of mine, and with a gentleman related to both, in whom she said she had confidence. You know that these gentlemen jointly sent to her diverse times some of their own number, men of distinction and respect, and you know how oadly she treated them, and that she was far from listening to them in any thing. At length, ye know, I referred it wholly to her own relations, and told them I would doe anything they, as men of honour, would advise for her good, my own quiet, and the peace and honour of my family. You also know these gentlemen were, the late Lord Poltown, Mr. Graham of Airth, Mr. Hamilton of Olivestobb, yourself, Dr. Lewis, your brother-in-law, and Mr. Robert Bannerman; and yourselves desired my Lord Dun and Mr. Erskine, now Lord Advocate, her relation as well as mine, to joyn with you.

You will likewise know that all of you at length concurred in adviseing a separation, which, after many delays and strange things, she subscrived; and that I fulfilled my part of the bargain, as far as she herself would allow: and that on her part nothing was performed, but that with great difficulty she was prevailed on, after many off putts and outrages, to goe to a separate house. And then it was hoped that I and the childeren (who she had used to curse bitterly when they went dutifully to wait on her) would be in quiet; but she often attacked my house, and from the streets and among the footmen and chairmen of visiters cryed and raged against me and mine, and watched for me in the streets, and chaced me from place to place in the most indecent and shameless manner, and threatened to attack me on the bench, which dreading she would do every time I went to it, made my duty there very heavy on me, least that honourable Court of Session should have been disturbed and affronted on my occasion. And not content with these, and odd and very

bad contrivances about the poor children, she waited on a Sunday's afternoon that my sister, Lady Jean Paterson, with my second daughter, came out of the Tron Church, and on the street, among all the people, fell upon her with violent scolding and curses, and followed her so down Merlines Wynd, till Lady Jean and the child, near the bottom of it, gott shelter from her, and being exposed to the multitude, in a friends house. You also know, and may well remember, that before you and the rest advised the separation, and till she went from my house, she would not keep herself in that part of it (the best apartment) which was assigned her, but abused all in the family, and, when none were adverting, broke into the room of ane old gentlewoman, recommended to me for housekeeper, and carryed off and destroyed her accompts, &c., and committed outrages, so that at length I was forced to have a watch in my house, and especially in the night time, as if it had been in the frontier of an enemyes country, or to be spoiled by robbers.

These and other insults and persecutions on me and my family, and nearest friends, were not only for a short tyme, but for a considerable tract. I will not say that any were so wicked and foolish as to suggest such things to her; but I well remember (and so doe others) who they were that gave her countenance whyle she went on in these courses, and took not due pains to disswade and restrain her, though every day in her company.

Persons of sense and discretion will easily judge whether it was possible for me and my family and friends to live in this manner, and whether it was not to the hurt and disgrace of herself to let it goe on. And it happened to be still more dangerous to my family and my sister (for then we lived together) thus to be exposed, when I was obliged to goe soon out of Brittain for several moneths, on important concerns of the family I'm descended from.

All these and other such facts you did know, and it is next to impossible that you have forgott them, nor can it be believed you have.

However some might chang their conduct, and act inconsistently with what they had recently professed in strong terms they were well satisfied with and resolved in, and hereby rendred almost impracticable the good advices given by that person's own friends, yet sensible and discreet people will think it was incumbent on the relations and friends of the family, for the sake of the head, and children, and nearest concerns of it,

and even of the person who made all the disturbance, to wish that proper and necessary measures might be taken to prevent it for the future, and preserve the honour of the family and its relations, and for the due education of the children, and their not having bad examples sett to them. They will think that persons of discretion and sense would seriously consider what had been endeavoured for these necessary ends, and how these endeavours had been and would still be dissapointed, and that some are so unhappy that no good considerations whatever, nor no persuasions of friends, could restrain them from the strangest freaks and outrages. Sensible and discreet people will also think that persons of discretion and sense, and real friends to the family and its relations, would heartily wish for such measures of obtaining these good ends, as that the person herself, and the family, and children, and nearest concerns of it, might not be again exposed to the speech, or laughing, or gazeing stocks of the world.

But notwithstanding of all this, and of the facts above mentioned, and too many others of that sort, yet most certainly such persons would not but desire that that person should alwise be treated, not only with humanity, but with all the care and tenderness that she would let it be possible to use towards her; but that one who would not be restrained by her own friends and all the friends of the family from outrages so gross should venture to assert things to the contrary is neither new nor surprising, and you cannot wonder at it, if you reflect on what ye knew, and could hardly forgett, and I'm sure did acknowledge to me and others. And I know that some who I hear are given for authors of the storys complained of do absolutely and positively deny that they said what is alleadged.

The persons concerned do believe that they have as good reason to think the storys alleadged to be false as they can have to think any thing so, when they themselves were not eye and ear wittnesses, and that the person has alwise been under such direction and care as they could trust themselves, and family, and dearest friends, and that ane allowance plentifully sufficient for all the comfortable accomodation of life has been duely paid, and not sunk or misapplyed, nor perverted to other uses, and if they had suspected it to have been otherwise, they would have been more careful and earnest to redress it than any others would be.

Yet I think it my duty to inquire very particularly into these things of

new, and not to rely on former evidence, and I sett about it as soon as I heard of this complaint, and will have the matter fully cleared. And I formerly showed my regard to the honour and discretion of the person's own relations, and gave them satisfaction. I do now assure you that I will still give them all satisfaction, and as soon as can be. Pray notice what I've said, and that they are her own relations, who, I thus assure you, I will satisfy, and I'll endeavour to satisfy even yourself, though I think (as many others do) that you have used me, and my family, and relations, and friends more injuriously, at diverse times, than any other man on earth ever did. I've hitherto borne it, in regard to my own character, and in regard to the person you say you have such concern for, and in regard to my children and their family's, and our friends and relations, but now, sir, you may be pleased to injure us no more. And if you go on to do it, after what I have just now assured you of, you or your prompters must have some other motive than the real wellfare of the person. And I humbly believe that the honourable gentleman of the law you advise with will be of opinion that the method I've assured you of is the fairest and most equitable, and the best for the wellfare and honour of the person and of the family, and all concerned in it, as weel as for others whose names have been so unadvisedly brought into those storys.

You have forced me to repeat some of outrages and misbehaviour of the person, which is the greatest greiff for me to do, and what I never have done nor will do but when constrained to it, but will alwise endeavour to have them buried in perpetual oblivion. Besides other reasons for this, the honour of my family and children, and of all the familys they are or may be concerned in, calls for it loudly. This seems not to touch your heart, but it touches mine and theirs very sensibly, and of all concerned in us, and therefore we cannot but be much against all noise, and think them worse than regardless of us who make it. Judicial proceedings must bring these and other such facts into publick records, open to the perusal of the present age and posterity, for if one be attacked, he must plead and prove what is proper for his defence, though otherwise very improper to be mentioned.

But do not imagine I pretend to prescrive to you. It's not impossible but you will do as yourself and prompters please whatever be remonstrated to you, and whatever those ye pretend to advise with may say. I have only laid some of the consequences before you, and any of the

smallest reflection and discretion will see what a worthy part he acts towards me and mine, and many others, and even towards the person pretended to be cared for, who, in such an occasion, beggins with spreading through Great Brittain strange storys, unexamined and unvouched, and not so much as communicated to us concerned, and next, when offered satisfaction, yet proceeds to fix such on publick records, and to force others to bring on record sad and proved truths, which he himself knows and formerly has acknowledged to be truths, and that ought for ever to be sunk. This cannot be construed to be any thing but an endeavour to fix, as far as in him lies, a lasting blot on persons and familys. The first was defamation, and the next would be the same, under a cover of a pretended legal shape, but in itself more attrocious. One cannot doubt but that this is a serious thing to many more than me, and cannot but be laid to heart.

After what I have said, I need not give particular answers to your propoesals, but only to notice two or three things concerning them.

You propose nothing to secure the future peace and honour of the family, or of any concerned; and you doe not pretend to undertake for the person's conduct or performance of anything; and I know well that neither you nor anybody could undertake it deliberately, and with hopes of making good, unless by other means than ye write of. All you say is, that your advice to her will be not to molest. But what if your advice be not followed? Did that person follow your advice in the strange things above-mentioned, and many others of the sort, which you and too many know to be true? I believe you'll not say so, but that you advised her to the contrary. But what availed it to those concerned?

You propose that the person may resyde in the shyre of Aberdeen, to be near some friends there you once knew; and it's wonderfull if ye have forgott ane odd attempt formerly made to that purpose, and how it was received, and it's strange that now it would enter into your mind. That noble family deserves more respect, even from you, and my concern is very great that it be not disturbed nor affronted by its nearest connection with me; besides which, my former relation to it and the family it descended from, renders the peace and honour of it very dear to me, and no doubt the other friends of the family will not easily allow of what may be very badd for it.

In all you propose, you seem to be regardless of noise, and a fresh

spreading all things over the land, which yet, I believe, any other discreet and sensible person will have regard to, and, I daresay, that so will her other friends and relations above-mentioned; you talk of yourself, and other friends, but who these other friends are, you doe not mention, nor can I guess. The persons above-mentioned, and such others, I had in my eye, when I assured you I would give them all satisfaction, as I formerly did, and still will doe. But you bring in friends, and nameless friends, only by the by, and as if to be nothing but your council, or I know not what. Yet I cannot perswade myself that, in earnest, ye would contemn them so, and take it all upon yourself. You cannot but think they are persons of sense and discretion, and as intelligent and desirous of what is right as yourself; and some of them are nearer relations than you. Her sister is a lady of worth, and alwise behaved weel; and her husband, Mr. Hamilton, is a man of honour, firmness, and integrity, who will not be byassed from what he thinks right. I could with pleasure and truth mention the good character of others, but I need not goe further here. Such I will satisfy and deal with, and be advised by in this affair, which no good and discreet person will think is to be manadged as ane common ordinary tryst of business. Such will deal not captiously, but solidly, for the true weelfare of all concerned, and for the peace and honour of persons and familys, and not to make such affairs the speech and talk of the world, and to throw or fix disgrace on those they should be concerned for.

The generality of the world receive such storys by way of diversion, and speak of them loosely without any information but vagrant reports; and no discreet person concerned will (without necessity) speak on such a subject, so that the world continue not duely informed, and passes censure and approbation on insufficient grounds; and, therefore, whoever brings these things needlessly into the mouths of the world, proposes to take courses that will render them still more the subject of common talk. Let them pretend what they will. They act a very bad part; and whether they doe it from want of judgement and consideration, or from ill-will and malice, the bad effects to those concerned are much the same. But I haveing received such treatment before, am not so much startled at it as many others would be; and I know that one is obliged to forgive both bitter enemies and those who act as such from want of consideration and judgement, and, perhaps, as prompted by others, or their own ill-founded imaginations.

VII. Copie Mr. Hope's Answer to Mr. Erskine of Grange his Letter.

Edinburgh, 23d February, 1741.

Sir,—I had yours dated at London, 17th last moneth, in answer to mine of the 6th, which surely I meant in good part. The interpretation you putt upon it, and of my past conduct with respect to you and family, would seem proceed either from bad information or imagination. And indeed, were it not your own desire to lay your letter before my lawiers, I should have else thought it an injury done you so farr to have exposed it.

I reckon I lose nothing by it, and you gain as little, since both our characters are well known.

I have alwise conducted my actions with uniformity, fairly, and above board; nor will the impartial world lay malice to my door, nor brand me with haveing at any time putt on the masque to disguise sinister views, which I have alwise had in abhorrence; and I give a defyance to any man to make it appear, that I ever knowingly, or with design, did or meant you or yours harm.

You know best if you can say the same by me or mine.

I own I have expressed myself on several occasions, and doe still think that the carrying off that unfortunate lady, in so violent a manner, was cruel and barbarous, and the second tyme much more so; yet you weel know, Sir, that I never resented it further, though at the same tyme I had a regular factory from her, by which I could have called for her separate aliment, which I have never yet done, not so much as for the money you knew I was in advance for her, till now that I gott, under her own hand, her melancholy situation, with new powers and intreatys to releive her.

On my coolest reflection, I declare I'm not able to call to mind one particular injury, either to you or family, to which I was accessory (unless you count the above such); but, on the contrair, had alwise a regaird for your childeren, and a very particular one for the family you are desended of, and for that whereof your daughter is countess, and both their relatives. As to my haveing spread the history over Brittain, or even in

this town, of that unfortunate lady: false storyes and suggestions (such as this) may fly about, but none but people possest of inveterate malice, prompted by a bad imagination, will conclude upon the author without examineing.

I declare upon honour these letters were deliverd into my house open, days after others had got theirs, and as to the narrative of her case, it was copyed by those into whose hands it first came before I saw it, so that I could not answer for that, or hinder its being made the publick talk of tea tables or coffee houses, but I can answer since it came into my hands, that no copys have been given of it, unless they were taken by Lady Olivestobb, or Mr. Cave, when they desired it might be left with them, and all this only after the story was spread, which I was so anxious to have concealed that I mett once or twice with Lords Dun, and Advocate, eight days before I mentioned it to mortall, not even to my own family, except my wife.

Finding the story blaze almost over all, after conversing with friends, it was thought necessary to take advice of lawiers.

Further, sir, upon a surmize that the narrative of the case was to be publickly printed, I went myself to the provost's house and waked him out of bed, desireing he would send immediately to the printers, forbidding them to meddle in any such thing, which was done accordingly. Further, sir, had I been prompted by malice or promptors, why did I waste the time in writing to you? What hindred me joyning with the opinion of many, who were directly for carrying things to the extremity the law allows, and that against all concerned?

At the same tyme, sir, that I have taken the trouble to give you this satisfaction, (more than the odd strain of yours could expect,) I would not have you believe it proceeds from your bigg words and reproaches. Those I altogether despise. They may move contempt, but shall have no other effect upon my conduct and resolutions, whyle conscience and honour are my only prompters and guide.

Without takeing up more tyme, I refer you to a more unprejudiced perusal of my former, which consisted only of one single proposition. It's needless to trace all the particulars in yours. It is enough to tell you in general that I was of opinion as much as you that the lady should have been placed somewhere that she could have given no disturbance to you or your family, but that, at the same tyme, she should not be quite de-

prived of her liberty and comfortable livelihood, of both which it appears she has been these several years, to the reproach of the country, of christianity, and all her relations.

I did say in my letter I could not prescrive rules to that lady, yet that does not hinder, but that friends may and ought to use all legal prudent means to prevent her troubling you and others in any shape; and because I think it right, as well as my duty, I will still consent and contribute my endeavours, by advice of my lawiers, for the mutual quiet and weelfare of all the family, and shall on all occasions rejoice in its peace and prosperity. This is without advice of lawiers, and without further correspondence from, sir,

Your most humble servant,

(Signed) THOs. HOPE.

THE BOOK

OF THE

ANNUALRENTARIS AND WEDSETTARIS

WITHIN THE

SCHIRREFDOME OF ABIRDEIN.

1633.

THE BOOK

OF THE

ANNUALRENTARIS AND WEDSETTARIS

WITHIN THE

SCHIRREFDOME OF ABIRDEIN.

Curia vicecomitatus de Abirdene tenta in pretorio ejusdem primo die mensis Nouembris anno domini millesimo sexcentesimo trigesimo tertio per discretum virum Gulielmum Cordoner vicecomitem deputatum dicti vicecomitatus pro tribunali seden sectis vocatis in curia legitime inchoata et affirmata.

The quhilk day and remanent court dayes, 'twixt the said first day of Nouember and the twentie sext day of the said moneth, compeirit thir persones particularie underwreitten, and adherit to the inventaris given up be thame in the sext terme of the extraordinarie taxatioune of the twentie penny, for the first terme of the taxatioun of twa merkis of ilk ten of every persones inventar, as is heireftir sett doun, viz. :—

James Gray, at the milne of Fuchill, in the persone of Thomas Mylne in Blairfoull, his procuratour, declarit that ther was restand to the said James be William Setone of Schethine, ii^{m} merkis.

Be the said William Setone, James Cheyne of Arnadge and James Leslie of Auchorthies, ... i^{m} vi^{c} merkis.

Be John Meldrum of Auchneive, ... i^{m} merkis.

Summa, iv^{m} vi^{c} merkis.

Quhairof ther is to be defaisit that the said James is restand to George Barclay, at the milne of Seggat, ... i^{m} merkis.

Summa, i^{m} merkis.

Summa, frie monies, iii^{m} vi^{c} merkis.

William Udny in Auchloume declarit that ther wes restand to him be Alexander Udny of Auchterellone, ... i[m] merkis.

Summa, trie monies, i[m] merkis.

Androw Couban, in Muirtoune of Corss, declarit that he haid restand to him be William Troupe of Belnacraige, . ii[c] xlii merkis.
Be Duncane Forbes of Camphell, ... v[c] merkis.
Be Mr. Robert Ferquhar, burges of Abirdein, . . . v[c] lx merkis.
Be Johne Lay, in Bervie, ... i[c] merkis.

Summa, frie monies, i[m] iv[c] ii merkis.

George Adamsone, in Nethirglaslaw, declarit that ther wes restand to him be Sir Thomas Wrquhart of Cromartie, knicht, ... i[m] i[c] merkis.
Be Patrik Dalgarno of Byth, ... iv[c] merkis.
Be William Mair, in Clochorbie, ... i[c] merkis.

Summa, i[m] vi[c] merkis.

Quhairof ther is to be defaisit that the said George Adamsone is restand to Johne Ogstoun, in Ladiesfurd, ... i[c] merkis
To Gilbert Adamesone, pupill, ... i[c] lxxx merkis.
To Androw Chalmer, in Litle Aucherthe, ... i[c] xx merkis.
To James Scherar, pupill, ... xl merkis.

Summa, iiii[c] xl merkis.

Summa, frie monies, i[m] i[c] lx merkis.

George Massie, in Stevinsburne, declarit that ther wes restand to him be Johne Keyth of Glackriauch, ... iii[c] l merkis.
Be George Scott, in Crimond, ... xlv merkis.
Be William Hay, in Cortecrome, ... i[c] lxxx merkis.
Be Edwart Grige, in Saithlie, ... l merkis.
Be John Gaw, in Kindrocht, ... l merkis.
Be Johne Ros, at the mylne of Turreff, ... lxvi merkis.
Be Johne Keyth, in Bennagoak, ... i[c] merkis.
Be William Mitchell, in Affleck, ... i[c] xx merkis.

Summa, ix[c] lxi merkis.

Quhairof ther is to be defaisit that the said George is restand to Elspet Henry, in Balmakellie, ... l merkis.

To William Fergusone, in Schivado, ... xxx merkis.
Summa, lxxx merkis.
Summa, frie monies, viii^{c} lxxxi merkis.

William Gray, in Ardmurdo, declarit that he had restand to him
be Mr. John Cheyne, parsone of Kinkell, . . . ii^{c} merkis.
Be Charles Dune, ... ii^{c} merkis.
Be George Mathesone, in Craigforthie, ... ii^{c} merkis.
Be John Mackie, notar, in Inverurie, ... i^{c} merkis.
Be Androw Stevin, in Kinmuck, ... i^{c} merkis.
Be George Gray, in Isaakistoune, ... i^{c} merkis.
Be James Black, in Inverurie, ... i^{c} merkis.
Summa, frie monies, i^{m} merkis.

Mr. Robert Burnet, parsone of Oyne, declarit that ther was restand
to him be Alexander Skene of that Ilk, ... ii^{m} merkis.
Be Hector Abercromby of Fettirnear, ... ii^{c} merkis.
Be John Leslie, younger of Pitcapill, ... viii^{c} merkis.
Summa, frie monies, iii^{m} merkis.

William Orem, in Dullab, declarit that ther wes restand to him
be Mr. George Gordoun of Terpersie, . . . i^{m} ii^{c} merkis.
Be Mr. James Buchane of Auchmacoy, ... i^{m} merkis.
Summa, frie monies, ii^{m} ii^{c} merkis.

William Orem, in Ardefork, declarit that ther wes restand to him
be Mr. George Johnston of that Ilk, ... i^{m} merkis.
Summa, frie monies, i^{m} merkis.

George Symmir, in Dullab, declarit that there wes restand him be
John Leslie of Pitcapill, ... iiii^{c} merkis.
Be Thomas Bruce, in Kemnay, ... i^{c} merkis.
Be Robert Chalmer, in Cowlie, ... i^{c} merkis.
Be William Smyth, in Abersnethock, ... i^{c} merkis.
Summa, frie monies, vii^{c} merkis.

Gilbert Ferquhar, in Abirsnethock, declarit that ther wes restand to him be Alexander Smyth, in Cowlie, . . . iii^{c} merkis.
Be William Lessell, in Dullab, ... i^{c} merkis.
Be James Ferquhar, ... i^{c} merkis.
Be John Gellane, in Inver, ... i^{c} merkis.
Be Patrik Chapman, in Abirdein, ... i^{c} merkis.

Summa, vii^{c} merkis.

Quhairof thair is to be defaisit that the said Gilbert is restand to James Grub, in Abirsnethock, ... i^{c} merkis.

Summa, i^{c} merkis.

Summa, frie monies, vi^{c} merkis.

Alexander Smyth, in Cowlie, declarit that ther wes restand to him be Sir William Forbes of Monymusk, . . . i^{m} v^{c} merkis.

Summa, i^{m} v^{c} merkis.

Quhairof thair is to be defaisit that the said Alexander restis to Gilbert Ferquhar, in Abirsnethock, ... iii^{c} merkis.
To James Grub, thair, ... ii^{c} merkis.
To Alexander Burnet, in Inverrie, ... ii^{c} merkis.
John Burnet, in Muchallis, ... i^{c} merkis.
To George Smyth, in Brako, ... i^{c} merkis.
To Thomas Burnet, in Bralhinsche, ... l merkis.
To James Willsone his awin servitour, ... l merkis.

Summa, i^{m} merkis.

Summa, frie monies, v^{c} merkis.

Thomas Gordoun, at the Milne of Ardgicht, declarit that thair wes restand to him be Sir James Gordoun of Lesmoir, . i^{m} merkis.
Be John Leslie of Pitcapill, ... i^{m} merkis.

Summa, ii^{m} merkis.

Quhairof thair is to be defaisit that the said Thomas is restand to Janet Forbes, dochter to wmquhill John Forbes of Ardgicht, vii^{c} merkis.
To Marjorie Ferquharsone, relict of wmquhill Thomas Bonar, in Glencarvie, ... ii^{c} merkis.

Summa, ix^{c} merkis.

Summa, frie monies, i^{m} i^{c} merkis.

William Cruickshank, in Gardynesmylne, declarit that ther wes restand to him be George Gordon of Newtoun, . . i^m merkis.
Summa, frie monies, i^m merkis.

Jhone Willson, in Lonheid of Culsamond, declarit that he haid restand to him be George Leyth of Overhall, . . vi^c merkis.
Be Hector Abircromby of Fettirneir, ... i^c merkis.
Be wmquhill John Setone of Disblair and his Cautioneris, iii^c merkis.
Summa, frie monies, i^m merkis.

Mr. Robert Jamiesone, parsone of Botarie, in the persoune of John Strauchane, in Carnie, his procuratour, declarit that ther wes restand to him be Sir Robert Innes of Balveny, i^m v^c merkis.
Be Thomas Innes of Paithnik, ... v^c merkis.
Be Patrik Gordoun, in Carnequhelp, ... vi^c merkis.
Summa, ii^m vi^c merkis.
Quhairof thair is to be defaisit that the said Mr. Robert is restand to Robert Petrie, agent in Edinburgh, . . . iii^c merkis.
To John Chalmer, sone to James Chalmer, in Wester Disblair, ii^c merkis.
To Mr. William Reid, minister at Gartlie, . . . ii^c merkis.
To John Smyth, in Drumdelgie, ... i^c merkis.
Summa, viii^c merkis.
Summa, frie monies, i^m viii^c merkis.

George Barclay, at the Milne of Siggat, be Thomas Milne, in Blairfoull, his procuratour, declarit that thair wes restand to the said George be Sir Alexander Hay of Delgaty, knycht, i^m ii^c merkis.
Be James Gray, in Fuchill, ... i^m merkis.
Be James Forbes of Tilligony, ... v^c merkis.
Summa, frie monies, ii^m vii^c merkis.

James Duffes, gardner in Fyvie, declairit that ther wes restand to him be Sir Robert Innes of that Ilk, knycht, . . ii^m merkis.
Be James Ogilvie of Ardo, ... v^c merkis.
Be James Birny, in Craigdame, ... i^c merkis.
Summa, frie monies, ii^m vi^c merkis.

Gilbert and George Duffessis, barnes to umquhill Alexander Duffes, sumtyme in Lethintie, declarit be James Duffes thair tutor, that ther wes restand to the said Gilbert be Mr. Robert Ferquhar, burges of Aberdein, ... viii^{c} merkis.
To the said George Duffes be Sir George Ogilvie of Carnowsies, knycht, baronett, ... vii^{c} merkis.
Summa, frie monies, i^{m} v^{c} merkis.

Mr. James Strauchane, minister at Coldstane, declarit that ther wes restand to him be David Barclay of Matheris, . ii^{m} merkis.
Be Sir James Gordoun of Lesmoir and Alexander Gordon of Abirgeldie, ... i^{m} v^{c} merkis.
Mr. Robert Paull, burges of Abirdein, ... vi^{c} merkis.
Mr. Patrik Strauchane of Kinnadie, . . . v^{c} merkis.
Be William Forbes of Pittelachie, ... i^{c} merkis.
Be George Gordon of Tullachowdie, . . . ii^{c} merkis.
Be Mr. John Reid, minister at Tarlan, ... ii^{c} merkis.
Be James Gordoun of Auchmull, ... ii^{c} merkis.
Be Mr. Johne Strauchane, minister at Midmar, . . i^{c} l merkis.
Be Mr. Alexander Gordon, minister at Glenmuik, . . i^{c} merkis.
Be John Reid, in Coldstaine, ... i^{c} merkis.
Be Mr. Alexander Strauchane, minister at Lumphanan, . ii^{c} merkis.
Summa, frie monies, v^{m} viii^{c} l merkis.

Johne Walker, in Finglenny, declarit for himself, and as procurator for George and William Walkeris his brethren, that ther wes restand equally amongst thaim be William Leslie of Ryhill, ... i^{m} merkis.
Be William Gordoune, elder of Sauchane, . . . v^{c} merkis.
Summa, frie monies, i^{m} v^{c} merkis.

George Mackie, in Broomehill, declarit that he had restand to him be John Leslie of Balquhoyne, ... v^{c} merkis.
Be Johne Keyth, in Auchorsk, and Robert Keyth, his brother, ii^{c} merkis.
Be Robert Andersone, in Kintoir, ... i^{c} merkis.
Summa, frie moneyis, viii^{c} merkis.

James M^cKie, at the milne of Forrest, declarit that he haid restand to him be Alexander Skene of Drumbreck, . . . v^c merkis.
Be Johne M^cKie, at the milne of Forrest, . . . iii^c merkis.
Summa, frie moneyis, viii^c merkis.

Jhone Watt, in Coinzeachie, declarit that he haid restand to him be Alexander Gordoune of Birkinburne, . . . v^c merkis.
Be George Gordoun of Lietchestoun, ... v^c merkis.
Be Patrik Gordoun, in Carnequhelp, ... i^c merkis.
Summa, frie moneyis, i^m i^c merkis.

Johne Walker, in Lethintie, declarit that he haid restand to him be Thomas Erskein of Balhagardie, ... vii^c merkis.
Summa, frie moneyis, vii^c merkis.

Mr. Thomas Thoiris, minister at Udny, declairit that he haid restand to him be Sir William Forbes of Cragywar, knycht, baronet, ... ii^m merkis.
Summa, frie monies, ii^m merkis.

Robert Meldrum, at the milne of Rothie, declarit that he haid restand to him be Thomas Forbes, wreittar in Abirdein, i^m i^c merkis.
Be Androw Meldrum, burges of Abirdein, . . . v^c merkis.
Be George Gordoun of Terpersie, ... vii^c merkis.
Be Patrik Gordoun of Badinscoth, ... iii^c merkis.
Be Jhone Hendersone, in Strath of Fyvie, . . . ii^c merkis.
Be Patrik Meldrum of Iden, ... ii^c merkis.
Be William Lindsay, in Wodend of Tollie, . . . i^c merkis.
Summa, frie moneyis, iii^m i^c merkis.

Alexander Shand, in Creichie, declarit that he haid restand to him be Eumond and Alexander Gardens, in Logie, . . i^m merkis.
For the quhilk soume he hes now Robert Cruikshank and George Meldrum, burgessis of Abirdein, his debtouris.
Summa, i^m merkis.

Quhairof thair is to be defaisit that the said Alexander is restand to Jeane Cruickshank, in Pitger, ... i^{c} merkis.
Summa, i^{c} merkis.
Summa, frie moneyis, ix^{c} merkis.

William Thomsone, in Boigincloche, be William Dune, his procuratour, declarit that there wes restand to him be Sir James Gordoun of Lesmoir, knycht, ... i^{m} merkis.
Summa of frie moneyis, i^{m} merkis.

James Mair, in Boigincloche, be the said Williame Dune, in Clubbisgovill, his procuratour, declarit that he haid restand him be Sir James Gordoun of Lesmoir, knycht, . . . i^{m} merkis.
Summa, frie moneyis, i^{m} merkis.

Alexander Symsone, in Affleck, declarit that ther wes restand to him be Mr. Patrik Maitland of Auchincreive, . . vi^{c} merkis.
Be William Setone of Udny, ... vi^{c} merkis.
Be Alexander Tilliedaff, in Ardo, ... i^{c} merkis.
Be Gilbert Jaffray, in Cultercullen, ... i^{c} merkis.
Summa, i^{m} iiii^{c} merkis.
Quhairof thair is to be defaisit that the said Alexander is restand to Grissell Paip, his mother-in-law, ... ii^{c} merkis.
Summa, ii^{c} merkis.
Summa, frie moneyis, i^{m} ii^{c} merkis.

Cristeane Calder, relict of wmquhill James Watt, in Glasha, declarit that shoe haid restand to hir be John Leslie, elder and and younger of Pitcapill, ... ii^{m} merkis.
Be Sir John Leslie of Wardes, knycht, ... viii^{c} merkis.
Summa, ii^{m} viii^{c} merkis.
Quhairof thair is to be defaisit that the said Cristeane is restand to William and George Wattis, sones to the said wmquhill James, ... ii^{c} merkis.
To Margaret Tailyeour, dochter to vmquhill Walter Tailyeour, iii^{c} merkis.
Summa, v^{c} merkis.
Summa, frie moneyis, ii^{m} ii^{c} merkis.

Johne Hendersone, in Archedlie, declarit that he haid restand to him be Mr. Vidast Lowsone, burges of Abirdein, . . viii^{c} merkis.
Be Alexander Blak, burges thair, ... i^{m} merkis.
Summa, i^{m} viii^{c} merkis.

Williame Chalmer, in Carniequhing, declarit that he haid restand to him be Alexander Fraser, younger of Phillorth, . i^{m} merkis.
Be Patrik Chalmer, at the milne of Strechin, . . . i^{c} merkis.
Be Alexander Fraser of Memsie, ... l merkis.
Be Alexander Fraser, in Over Memsie, ... i^{c} merkis.
Be John Innes, in Saithlie, ... ii^{c} merkis.
Be Geillis Scott, in Pettskow, ... l merkis.
Be John Chalmer, in Monblaerie, ... i^{c} merkis.
Quhairof he quyttis the profitt to his Majestie.
Summa, i^{m} v^{c} merkis.
Quhairof thair is to be defaisit that the said William is restand to Violet Hay, in Schivado, ... iiii^{c} merkis.
To Marione Carnecroce, in Sandley, ... iii^{c} merkis.
Summa, viii^{c} merkis.
Summa, frie moneyis, viii^{c} merkis.
And declarit that he haid uplifted the soume of fiftie merkis, given up restand to him in his sext termes inventar be James Hempseid, and that he haid nocht warit out the samen againe upone annuelrent.

James Gordoun, merchant in Forge, declarit that he haid restand to him be Alexander Abircromby of Birkinboig, . i^{m} v^{c} merkis.
Be Sir George Ogilvie of Carnowsies, ... i^{m} merkis.
Summa, ii^{m} v^{c} merkis.
Quhairof thair is to be defaisit that the said James is restand to Alexander Morisone, in Boignie, ... v^{c} merkis.
Summa, v^{c} merkis.
Summa, frie moneyis, ii^{m} merkis.

Jhone Ogstoune, in Ladiesfuird, declarit that there wes restand to him be Alexander Fraser, younger of Phillorth, . i^{m} v^{c} merkis.
Be John Hay, bailyie, burges of Abirdein, . . i^{m} ii^{c} l merkis.

Be John Fraser, in Techmwirie, ... v^c merkis.
Be Patrik Dalgarno, in Byth, ... v^c merkis.
Be Alexander Frasser, at Berrimilne, ... i^c merkis.
Be Alexander Forbes of Boyndlie, ... ii^c merkis.
Be Alexander Fraser of Forrest, ... i^c merkis.
Be William Fraser, in Haltoun, ... ii^c merkis.
Be Mr. William Ogstoun, in Newgeak, ... ii^c l merkis.
Be David Findlay, in Cattmyris, ... lx merkis.
Be Williame Frasser, in Easter Tyrie, ... l merkis.
Be William Gordoun of Brodland, ... v^c merkis.

Summa, v^m ii^c x merkis.

Quhairof thair is to be defaisit that the said Johne is restand to
Issobell Adamsone, pupill, ... i^c lxxx merkis.
To [ ] Crowdane, pupill, ... i^c merkis.
To Magnus Ogstoun, merchand, ... ii^c merkis.

Summa, iiii^c lxxx merkis.

Summa, frie moneyis, iiii^m vii^c xxx merkis.

And declairit that he haid uplifted, given up, restand to him in his sext termes inventar, be Alexander Fraser, in Memsie, tua hundreth merkis, be Walter Frasser, now in Fingask, ane hundreth and fiftie merkis, and that he haid nocht lent out the saidis soumes againe for annuelrent.

Jhone Chessor, in Gullie, as procurator for Edward Chessor, thair, declarit that thair wes restand to the said Edward be Patrik Strauchan of Kinnadie, ... i^m merkis.
Be William Urquhart, in Castelltoun, ... v^c merkis.
Be William Dalgarno of that Ilk, ... v^c merkis.

Summa, frie moneyis, ii^m merkis.

And declarit that the said Edward haid uplifted the soumes of money following given up restand to him in his sext termes inventar, viz.: Be John Copland, four hundreth merkis; be Arthur Dalgarno, younger of that Ilk, thrie hundreth merkis; be Androw Broune, in Scattertie, fyve hundreth merkis; and haid nocht lent on the saidis soumes againe for annuelrent.

Jhone Chessor, in Gullie, declarit that thair wes restand to him be
George Gordoun of Nethirmwir, ... i^m merkis.
Be Alexander Pantoun of Sealliscruik, ... iiii^c merkis.
Be James Pantoun, in Hedryhall, ... i^c merkis.
Summa, frie moneyis, i^m v^c merkis.
And declarit that he haid uplifted given up restand to him in his sext termes inventar, the sowme of ane thowsand merkis, be Thomas Frasser of Strechin; four hundreth merkis, be John Andersone, in Forglen; be William Dalgarno of that Ilk, ane hundreth merkis; and that he haid nocht lent out the same againe for annuelrent.

Johne Chessor, in Culsche, declarit that he haid restand to him
be Thomas Frasser of Strechin, ... i^m merkis.
Be Johne Ramsay of Culsche, ... i^m merkis.
Be Mr. Robert Lumsden of Affleck, ... v^c merkis.
Be Androw Massie, in Schivado, ... i^c merkis.
Be George Leyth, in Litle Auchredie, ... i^c merkis.
Summa, frie moneyis, ii^m vii^c merkis.
And declarit that he haid uplifted given up restand to him in his sext termes inventar, be John Forbes of Byth, ane thowsand merkis; be Walter Forbes of Auchredie, four hundreth merkis; and that he haid nocht lent out the same againe for annuelrent.

Alexander Chalmer, in Kinkell, declairit that he haid restand to
him be John Leslie, elder, and John Leslie, youngar, of Pitca-
pill, ... ii^m merkis.
Be George and Williame Gordounes of Tullachowdie, . i^m merkis.
Be George and Mr. Alexander Johnstounes, . . . v^c merkis.
Be George Chalmer of Balbithane, ... ii^c l merkis.
Of the quhilk ii^c l merkis he quytes the profitt to his Majestie.
Be William Forbes of Tolquhone and Walter Forbes of Thayns-
toun, ... i^m merkis.
Summa, iiii^m v^c merkis.
Quhairof thair is to be defaisit that the said Alexander restis to
the toun of Abirdein, ... ii^c l merkis.
To Jeane and Barbara Johnstounes, his dochteris in law, . vi^c merkis.

To George Johnstoun, his sone in law, ... i^c merkis.

Summa, ix^c l merkis.

Summa, frie moneyis, iii^m v^c l merkis.

And declarit that he haid uplifted given up restand to him, in the sext termes inventar, be John Leslie, elder, and youngar of Pitcapil, fyve hundreth merkis, of the soume of tua thowsand and fyve hundreth merkis; be John Forbes of Ardmurdo, fyve hundreth merkis; be Sir George Jonstoun of that Ilk, sevin hundreth and fiftie merkis; and be George Crichtoun of Crichie, ane hundreth and fiftie merkis; and that he haid nocht lent out the samen againe for annuel rent.

James Ros, in Quhobbis, declarit that ther wes restand to him be John Turing of Foverane, ... i^m merkis.

Summa, frie moneyis, i^m merkis.

And declarit that he haid uplifted given up restand to him, in his sext termes inventour, be Mr. Robert Forbes, minister at Echt, thrie hundreth merkis; be James Nicol, in Reidfuird, fiftie merkis; be Alexander George, at the milne of Cullairlie, ane hundreth and fiftie merkis; be John Coutis, in Eister Cullairlie, fiftie merkis; be George Gordoun of Terpersie, tua hundreth merkis; and be William Coutis, in Lochtoun, ane hundreth and fiftie merkis; and haid nocht lent out the samen againe, upone annuel rent.

Alexander Morisone, in Boignie, declairit that he haid restand to him be Jhonie Leslie, elder, and Jhone Leslie, youngar, of Pitcapill, ... i^m viii^c merkis.

Be Mr. Thomas Smart of Reidhill, ... lx merkis.

Be the Laird of Blackfuird, youngar, ... i^c merkis.

Be Mr. Patrik Maitland of Auchincreve, ... v^c lxxv merkis.

Be James Hackat, in Pettindreiche, and John Stevinsone, in Meyan, ... ii^c merkis.

Be Waltar Spence, in Boigforth, ... v^c merkis.

Be Johne Gordoun of Auchannachie, ... iii^c merkis.

Be Johne Gordoun of Auchinreach, ... v^c merkis.

Be Alexander Gordoun of Garry, ... vii^c merkis.

Be Beroald Innes of Knokorth, ... i^c merkis.
Be Alexander Horne, in Balgevinie, and be Alexander Horne, in Toddilhilloek, ... i^c merkis.
Be Mr. James Clerk of Tilliecorthie, . . . iiii^m iii^c l merkis.
Be James Crichtoun of Frendraucht, . . . i^m v^c merkis.
Quhairwnto the name of Cristeane Clerk, mother-in-law to the said Alexander, is borrowit.

Summa, fric monies, x^m vii^c lxxxv merkis.

And declarit that he haid uplifted given up restand to him in his sext termes inventar, be James Gordoun, merchant in Forg, four hundreth merkis, quhairwnto the name of Susanna Gardyne, his sister-in-law, was borrowit; and that he haid nocht lent out the samen againe for annuel rent.

George Jhonstoun of Fawallis declarit that he haid restand to him be Jhone Forbes of Ardmurdo, ... i^m v^c merkis.
Be Williame Forbes of Tolquhone and Walter Forbes of Thaynistonn, ... i^m merkis.
Be Sir George Jhonstoun of that Ilk, ... ii^c merkis.

Summa, ii^m vii^c merkis.

Quhairof thair is to be defaisit that the said George is restand to Jhone Williamsone, in Harlaw, ... iiii^c merkis.
To Gilbert Watt, in Bourty, ... i^c l merkis.
To Thomas Davidsone, in Fawallis, ... ii^c merkis.

Summa, vii^c l merkis.

Summa, frie moneyis, i^m ix^c l merkis.

And declarit that he haid uplifted given up restand to him in his sext termes inventar, be Sir William Forbes of Cragywar, knycht, ane thowsand merkis; and be Sir George Johnstonn, tua hundreth merkis, of the soume of four hundreth merkis; and nowayes lent out the samen agane for annuelrent.

Mr. Alexander Sibbald, minister at Kemnay, declarit that he haid restand to him be John Gordoun of Haddo, . . . vi^c merkis.
Be William Gordoun of Sauchin, ... vi^c merkis.
Be Sir William Dowglas of Glenbervie, ... iii^c merkis.
Be Thomas Bruce, in Parkhill, ... lxxx merkis.

Be the said Thomas Bruce and George Fouller, at the mylne of of Corskie, ... i^c merkis.
Be Patrik Foullar, in Drumnaheath, ... i^c merkis.
Be Patrik Downy, in Milnetoun of Kemnay, ... i^c merkis.
Be Mr. James Skein of Ramoir, ... iiii^c merkis.

Summa, ii^m ii^c lxxx merkis.

Quhairof thair is to be defaisit that the said Mr. Alexander is restand to Gilbert Touche, in Craigerne, ... i^c merkis.
To William Andersone, in Leschangie, ... i^c merkis.
To Alexander Watsone, in Lauchintullie, ... l merkis.
To Andrew Scott, in Maynes of Kemnay, ... l merkis.

Summa, iii^c merkis.

Summa, frie moneyis, i^m ix^c lxxx merkis.

And declarit that he haid uplifted the soume of sex hundreth merkis given up restand to him in his sext termes inventar, be George Deanes, in Leyludge, and haid nocht lent out the samen againe for annuelrent.

Alexander Irving of Tarsettis declarit that he haid restand to him be Gilbert Collysone, burges of Abirdein, . . i^m iiii^c merkis.
Be George Pattoune, in Ferrachie, ... ix^c l merkis.
Be John Irving of New Place, ... iii^c merkis.
Be David Currour of Fingask, ... i^m merkis.
Be Robert Setoune of Tilliery, ... iii^c merkis.

Summa, iii^m ix^c l merkis

Quhairof thair is to be defaisit that the said Alexander is restand to Dauid Currour, elder of Balrugor, ... i^m merkis.
To the airis of Robert Sibbald, at the myln of Antrim, i^m ii^c merkis.
To Girsell Irwing, sister to the said Alexander, . . ii^c merkis.
To Mr. Johne Irwing, student in divinitie, . . . ii^c merkis.

Summa, ii^m vi^c merkis.

Summa, frie moneyis, i^m iii l merkis.

And declairit that he haid upliftit the sowmes of moneyis wnder written, given up restand to him in his sext termes inventar be the persones eftir following, viz.: Be Sir James Gordoun of Lesmoir, knicht, thrie thowsand merkis; be Johne Irwing of

Newplaice, ane thowsand and fyftie merkis, of the sowme of threttein hundreth and fyftie merkis; and be George Irwing, in Doualtie, ane hundreth and fyftie merkis; and that he haid waired the saidis soumes on his awin necessar effairis, and navayes lent out the samen for annuelrent.

George Irwing, in Dowaltie, doclarit that ther wes restand to him be Mr. Thomas Blackhall, sumtyme in Balladrum, now indwellar in Abirdein, ... viii^{c} merkis.
Be John Irwing of Balbithin, ... iii^{c} merkis.
Be Johne Leyth, burges of Abirdein, ... iii^{c} merkis.
Be John Duigit, in Littilgowll . . . . . i^{c} merkis.
Be Alexander Duncan, in Invervedie, . . . i^{m} ii^{c} merkis.
Summa, frie moneyis, ii^{m} vii^{c} merkis.

And declarit that he haid upliftit the soumes of money wnder writtin given up restand to him in his sext termes inventar, be the persones following, viz.: Be John Turing of Fouerane, thrie hundreth merkis; be James Gordoun of Balmorell, thrie hundreth merkis; and be Alexander Irwing of Alterie, tua hundreth merkis; and that he haid wared the saidis soumes on his awin necessar effairis, and novayes haid lent out the samen againe for annuelrent.

Patrik Robertsone, in Tillikeirie, declarit that ther wes restand to him be George Leslie, elder of Kincragie, . . v^{c} merkis.
Be Johne Lumsden of Tillicarne, ... iii^{c} merkis.
Be William Forbes, in Lernie, ... ii^{c} merkis.
Be Thomas Adame, in [ ], ... i^{c} l merkis.
Be Patrick Skein, in Auchorrie, ... l merkis.
Be John Symsone, in Kirktoun of Touch, . . . l merkis.
Be Duncan Forbes in Brounhill, ... i^{c} merkis.
Be William Thomson, in Bankheid, ... lx merkis.
Be Johne Maith, in Kirkhill of Cluny, ... l merkis.
Be James Kaird in Rainallach, ... l merkis.
Be Johne Thomsone, in Newbigging, ... l merkis.
Be Johne Nicol, in Broomehill, ... l merkis.

Be James Calder of Asloun, quherof he quytis the profeit to his Majestie, ... i^c merkis.

Summa, i^m vi^c lx merkis.

Quhairof thair is to be defaisit that the said Patrik is restand to William Robertsone, in Tillachowdie, . . . ii^c xxvi merkis.
To William Donald, in Slydie, ... l merkis.
To Johne Touch, in Clunye, ... l merkis.

Summa, iii^c xxvi merkis.

Summa of frie moneyis, i^m iii^c xxxiii merkis.

And declarit that he haid upliftit the soumes of money following, given up restand to him in his sext termes inventar be the persones wnder namet, viz.: Alexander Lumsden, younger of Tillicarne, tua hundreth merkis; be William Faith, in Findlaterie, fyftie merkis; and be William Thomsone, in Bankheid, fourtie merkis, of the soume of ane hundreth merkis; and that he haid wared the saidis soumes on his awin necessar effairis, and navayes haid lent out the samen againe for annuelrent.

Johne Bannerman, in Picktillame, declarit that he haid restand to him be Sir William Keyth of Ludquharne, knicht, ix^c l merkis.

Summa, frie moneyis, ix^c l merkis.

And declairit that he haid upliftit the soume of fyftie merkis, of the sowme of ane thowsand merkis, given up restand to him in his sext termes inventar be the said Sir Williame Keyth, and haid employet the said soume on his awin effairis, but haid nocht lent out the samen for annuelrent.

Williame Smyth, in Blairdaff, declarit that he haid restand to him be Mr. Hew Irwing of Cultis, ... ix^c merkis.

Summa, ix^c merkis.

Quhairof thair is to be defaisit that the said William is restand to George Symer, in Dowlab, ... i^c merkis.
To Margaret Maitland, in Kintoir, ... l merkis.
Th Alexander Glenny, in Ailhousvall, ... i^c merkis.

Summa, ii^c l merkis.

Summa, frie moneyis, vi^c l merkis.

And declarit that he haid upliftit the soume of fyve hundreth merkis, given up restand to him in his sext termes inventar be William Gordoun of Sauchin, and employed the said sowme upon his awin particular effairis, but haid nocht lent out the samen againe for annuelrent.

Alexander Skeim, in Drumbreck, declarit that he haid restand to him be Alexander Skein of that Ilk, . . . iim ic xl merkis.
Be Duncan Forbes of Camphell, ... imc viic merkis.
Be Sir George Johnston of that Ilk, . . . imc vc merkis.
Be Mr. Alexander Innes of Dauidstoun, ... vic merkis.
Be Alexander Arskein of Petskurie, ... vic merkis.
Be William Keyth, in Garlogie, ... iic merkis.
Be James Colisone, burges of Abirdein, ... vic merkis.
Be Johne Keyth, in Arquhorsk, and Patrik Forbes, in Kynmundie, ... imc merkis.
Be Mr. Gilbert Keyth, minister at Bourtie, . . . iic merkis.
Be the said Johne Keyth, ... iic merkis.
Be Alexander Lumsden of Clova, ... iic merkis.
Be William Forbes of Tullachowdie, ... l merkis.
Be Johne Ley, in Bervie, ... lxxx merkis.
Be James Young and Alexander Smyth, in Moneight, . . ic merkis.
Be Johne Forbes, thair, ... ic l merkis.
Be Gilbert Aberdour, in Culquhosie, and William Alschioner, in Tilliebord, ... ic merkis.
Be Johne Calder of Migvie, ... iic merkis.

Summa, ixm vic xx merkis.

Quhairof thair is to be defaisit that the said Alexander is restand to James Irwing, in Culairlie, ... iiic merkis.
To James Mackie, at the myln of Halforest, . . . vc merkis.
To Hendre Nicol, in Cortance, ... iic merkis.
To Alexander George, at the myln of Culairlie, . . ic l merkis.
To Johne Abill, in Glasko, ... ic merkis.
To Alexander Walker, in Cluny, ... ic merkis.
To William Mowat, in Lichtwod, ... ic merkis.
To George Cromby, in Maynes of Geight, . . . ic merkis.

Summa, im vc l merkis.

Summa, frie moneyis, viiim lxx merkis.

And declairit that he haid upliftit the soumes of money following, given up restand to him in his sext termes inventar be the persones following, viz.: Robert Forbes of Eight, tua thowsand merkis; be William Keyth, in Garlogie, and Robert Keyth, wrettar, ane thowsand merkis; be Alexander Anderson, younger, burges of Abirdein, tua hundreth merkis; be Williame Forbes, feir of Corsinday, ane hundreth and fyftie merkis; and that he haid waired the saidis soumes upon his awin particular effairis, and haid nocht lent out the samen againe for annuelrent.

Johne Farquhar, in Norum, declarit that thair wes restand to him be Mr. Robert Farquhar, burges of Abirdene, . . vii^{m} merkis.
Be William Duiged of Auchinhuif, ... v^{c} merkis.
Summa, vii^{m} v^{c} merkis.
Quhairof thair is to be defaisit that the said Johne is restand to
Johne Garioueh, in Litel Endowie, ... vii^{c} merkis.
To Johne Gordoun, in Coull, ... iii^{c} merkis.
To the barnes of umquhill . . . . Urry, in Norum, . . iii^{c} merkis.
To William Tais, in Mylntoun of Cuschnie, . . . i^{c} l merkis.
To Johne Brouster, in Tolmadis, ... ii^{c} merkis.
To Alexandtr Watt, in Colfork, ... ii^{c} merkis.
To James Baine, in Cultis, ... ii^{c} merkis.
To Elspet Myln, in Norum, ... i^{c} merkis.
To James Jamesone, in Corss, ... ii^{c} merkis.
To Johne Tais, in Torgudland, ... ii^{c} merkis.
To Robert Morgone, in Drumquhatie, ... iiii^{c} merkis.
To Danid Fergusone, in Mwirtoun of Corss, . . . iiii^{c} merkis.
To Elspet Suttar, in Sunnahard, ... i^{c} l merkis.
Summa, iii^{m} v^{c} merkis.
Summa, frie moneyis, iiii^{m} merkis.

And declairit that he haid upliftit the sowme of tua thowsand merkis, of the soume of nyne thowsand merkis, given up restand to him in his sext termes inventar be Robert Farquhar, burges of Abirdein, and that he haid wared the said soume upon his awin particular effairis, but haid noeht lent out the samen againe for annuelrent.

Johne Cuschnie, in Culsamond, declarit that he haid restand to him be George Gordoun of Baldurno, ... i[m] merkis.

Summa, i[m] merkis.

Quhairof thair is to be defaisit that the said Johne is restand to James Low Cordoner, in Abirdein, ... v[c] merkis.

To Johne Wilsone, in Lonheid of Culsamond, ... i[c] merkis.

Summa, vi[c] merkis.

Summa, frie moneyis, iiii[c] merkis.

And declarit that he haid upliftit the soumes of money following, given up restand to him in his sext termes inventar be the persones wnder writtin, viz.: Be Sir Johne Leslie of Wardes, fyve hundreth merkis; be George Crichtoun of Crichie, thrie hundreth merkis; be Sir James Gordon of Lesmoir, ane thowsand fyve hundred merkis; and that he haid wared the saidis soumes on his awin particular effairis, and not givin out the samen for annuelrent.

Johne Keyth, sone to Mr. Alexander Keyth, portioner of Duffes, declarit that he haid restand to him be Alexander Gordoun of Abirgeldie, ... ii[m] merkis.

Be Mr. Patrik Maitland of Auchincruve, ... i[m] merkis

Be Mr. Alexander Innes of Dauidsone, ... v[c] merkis.

Be James Gordoun of Lettirfuire, ... i[m] merkis.

Summa, iiii[m] v[c] merkis.

Quhairof thair is to be defaisit that the said Johne Keyth is restand to Mr. Johne Cheine, servitour to Johne Irwing of Artamphart, ... v[c] merkis.

To George Gordoun of Tillachowdie, ... ii[c] merkis.

To Robert Farquharsone of Finzeane, ... iiii[c] merkis.

Summa, i[m] i[c] merkis.

Summa, frie monies, iii[m] iiii[c] merkis.

And declairit that he haid upliftit the soumes of money following given up restand to him in his sext termes inventar be the persones under writtin, viz.: Be Alexander Keyth of Balmuir, tua thowsand merkis; be Johne Innes of Lewcharis, ane thowsand merkis; be Robert, James, and Robert Ferquharsones, fyve

hundreth merkis; and that he haid bestowit the saidis soumes upon his awin particular effairis, and haid nocht lent out the samen againe for annuel rent.

George Myln, sumtyme in Badiechell, and now in Brounhill, declarit thair wes restand to him be Androw Smyth, in Brounhill, ... iii^{c} merkis.
Be William Hatt thair, ... i^{c} merkis.
Be Thomas Bruce, in Greines, ... i^{c} merkis.
Be James Scorgeak, in Badichell, ... i^{c} merkis.
Summa, vi^{c} merkis.
Quhairof thair is to be defaisit that the said George is restand to Issobell Watsone, in Fyvie, ... i^{c} merkis.
To Johne Stevin, in Muerfundland, ... xx merkis.
Summa, i^{c} xx merkis.
Summa, frie moneyis, iiii^{c} lxxx merkis.

And declarit that he haid upliftit the soumes of money following given up restand to him in his sext termes inventar, be the persones following, viz.: Be James Cosack, in Badichele, ane hundreth merkis; be Alexander Brames thair, ane hundreth merkis; be James Cassie, in Knapnahill, fyftie merkis; be Robert Barclay, in Sigget, fyftie merkis; be James Scott, in Bredgremes, thrie scoir merkis; Johne Jamesone, in Tillinessel, fyftie merkis; and that he haid wared the saidis soumes upon his awin particular effairis, and haid nocht lent out the samen againe for annuelrent.

Robert Forbes, in Tillioche, declarit that he haid restand to him be William Cowtes of Auchtercoull, ... i^{m} merkis.
Be Alexander Skein, of that Ilk, ... ii^{m} merkis.
Be the said Alexander Skein, and Mr. Robert Forbes, minister at Eight, ... vii^{c} l merkis.
Summa, frie moneyis, ii^{m} vii^{c} l merkis.

And declarit that he haid upliftit the soume of ane thowsand merkis given up restand to him in his sext termes inventar be Johne Forbes of Corsinday; and be Mr. Robert Forbes, minister

at Eight, sewin hundreth merkis; and that he haid wared the saidis sowmes upon his awin particular effaires, and haid nocht lent out the samen for annuelrent.

Johne Cowtis, in Culairlies, declarit that thair wes restand to him
be William Forbes, feir of Corsinday, ... iic merkis.
Be Gilbert Gardyn, in Banchorie, ... iiic merkis.
Be Sir George Johnstoun, of that Ilk, ... vc merkis.
Be William Gordoun of Abirgeldie, . . . imvc merkis.
Be Thomas Paip, burges of Abirdein, . . . imiic merkis.
Be Johne Leyth of Harthill, ... vc merkis.
Be James Gordoun of Crabstoun, ... iic merkis.
Be Johne Fraser, in Glak, ... ic l merkis.
Be George Leivingstoun of Millegin, ... vic merkis.
Be William Forbes, in Tillachowdie, ... ic merkis.
Be William Finlay, in Lewchar, ... l merkis.
Be Johne Fordyce, in Auchincrive, ... ic merkis.
Be Alexander Irwing of Murthill, ... iic merkis.

Summa, vm iiic merkis.

Quhairof thair is to be defaisit that the said Johne is restand to
Gilbert Cowtis, his brother, ... iic l merkis.

Summa, iic l merkis.

Summa, frie moneyis, vm l merkis.

And declarit that he haid upliftit the soume of ane hundreth merkis given up restand to him in his sext termes inventar be George Leyth, in Bethlein, and that he haid nocht lent out the said soume for annuelrent.

Williame Gray, in Ardmurdo, declarit that he haid restand to him
be Charles Dune, in Kinkell, ... iic merkis.
Be George Mathowsone, in Craigforthie, ... iic merkis.
Be George Gray, in Jackstoun, ... ic merkis.
Be Johne Mackie, notar in Inverury, ... ic merkis.
Be James Black, in Inverourie, ... ic merkis.

Summa, frie moneyes, viic merkis.

And declarit that he haid upliftit the soumes of money following given up restand to him in his sext termes inventar, viz.: Be

Mr. Johne Chein, persone of Kinkell, tua hundreth merkis; be Androw Stevin, in Kinmuck, one hundreth merkis; and that he haid not lent out the samen againe for annuelrent.

Johne Bissat, in Stayniefild, for himself and in name and behalf of George, Alexander, and Robert Bissets, his sones, declarit that thair wes restand to him and his saidis sones, be the persones undernamet, the sowmes of money following, viz. to himself,

Be Johne Hall, in Mealingsyd, ... i^c l merkis.
Be George Gordoun, in Blerindynnie, ... i^c merkis.
Quhairof he quytis the profeit to his Majestie.
Be Johne Leyth, in Mungarie, ... i^c l merkis.
Be Janet Laying, in Drumgowin, ... l merkis.
Be William Laying thair, ... lx merkis.
Item to the said George Bissat,
Be Sir Johne Leslie of Wardes, knicht, ... ii^m merkis.
Of the quhilk soume of tua thowsand merkis, the said Johne, in name of his said soume, quytis the annuelrent to his Majestie.
Be Sir James Gordoun of Lesmoir, ... ii^m merkis.
Item to the said Robert Bissat,
Be William Gordoun, youngar of Tullachowdie, . viii^c l merkis.
Be Alexander Gordoun of Garrie, ... v^c merkis.
Be James Gordoun, in Cantlie, ... i^c merkis.
Item to the said Alexander Bisset,
Be George Gordoun of Terpersie, ... i^m merkis.

Summa of frie moneyes, iiii^m viii^c lx merkis.

And declarit that he haid upliftit the sonme of ane hundreth merkis given up restand to himself in his sext termes inventar be Johne Spence, at Pirismyln; and the soume of tua hundreth and fyftie merkis of the soume of thrie hundreth and fyftie merkis given up restand be the said Robert Bissat in his sext termes inventar be the said James Gordoun in Cantlie; that the said Johne, for himself, and in name of the said Robert, haid wairit the saidis sonmes on thar awin particular effairis, and navayes lent out the samen for annuelrent.

Williame Dalgarno, in Litle Crichie, declarit that ther was restand to him,

Be William Erle Merchell, ... iiᵐ iiᶜ merkis.
Be Alexander Smyth, in Rora, ... vᶜ xx merkis.
Be James Keyth of Herviestoun, ... viiᶜ merkis.

Of the quhilk sewin hundreth merkis he quytis the profeit to his Majestie.

Summa, iiᵐ viiᶜ xx merkis.

Quhairof thair is to be defaisit that the said William is restand to

Michael Raitt, in Hythie, ... viiiᶜ merkis.
To Thomas Forbes, in Auchtiedonald, ... iiiᶜ merkis.
To Jean Guild, in Aberdein, ... vᶜ merkis.
To Annes Dalgarno, dochter lauchfull to John Dalgarno, in Aden, ... iiiᶜ l merkis.

Summa, iiᵐ iᶜ l merkis.

Summa, frie moneyis, vᶜ lxx merkis.

And declarit that he haid upliftit the sowmes of money following, given up restand to him in his third termes inventar be the persones eftir specefeit: Be Johne Knokis of that Ilk, tua hundreth threttie ane merkis; be Alexander Johnstoun, in Mylnbreck, ane hundreth merkis; be Johne Hay, in Cortecrom, fyftie merkis: and be James Clerk, in Stainhyf, thrie hundreth and threttie merkis; and that he haid warit the saidis soumes on his awin necessar effairis, and haid not lent out the samen againe for annuelrent.

Mr. Alexander Scrogye, minister at Auld Abirdein, declarit that he haid restand to him be the lairdis of Cluny and Wardes, quhairof he quytis the profeit to his majestie, . . iiiᵐ merkis.
Be John Leslie, younger, of Petcappell, ... iᵐ merkis.
Be Alexander Keyth of Balmuir, ... iᵐ merkis.
Be Androw Meldrum, bailyie, burges of Abirdein, . . iiᵐ merkis.
Be George Gariouch, in Kinstair, ... ixᶜ merkis.

Summa, iiiiᵐ ixᶜ merkis.

Quhairof thair is to be defaisit that the said Mr. Alexander is restand to William, Alexander, and George Scrogies, barnes to umquhill Robert Scrogie, at the Brig of Dee, . . viᶜ merkis.

To the Hospitall of Auld Abirdein, ... iiii^{c} merkis.
To the professioun of Divinitie of Abirdein, . . . v^{c} merkis.
To the Sessioun of Auld Abirdein, ... iii^{c} merkis.
Summa, i^{m} viii^{c} merkis.
Summa, frie monies, iii^{m} i^{c} merkis.

Mr. James Clerk of Tillicorthie declarit that he haid restand to him be Sir William Forbes of Cragivar, knicht, . . x^{m} merkis.
Be Johne Seatoun of Auchorties, ... v^{m} merkis.
Be Patrick Bischope of Abirdein, ... i^{m} merkis.
Be William Seatoun of Wdnie, ... i^{m} vi^{c} merkis.
Be Johne Wdnie, chamberlain of Balhelvies, . . . i^{m} merkis.
Summa, xviii^{m} v^{c} merkis.
Quhairof thair is to be defaisit that the said Mr. James is restand to Alexander Morisone, in Bognie, . . . iiii^{m} iii^{c} l merkis.
To Issobell Morisone, relict of umquhill James Clerk of Pennieburne, ... vii^{m} v^{c} merkis.
Summa, xi^{m} viii^{c} l merkis.
Summa, frie moneyis, vi^{m} vi^{c} l merkis.
And declarit that he haid upliftit the sowme of thrie thousand merkis money, given up restand to him in his sext termes inventar be Alexander Seatoun of Pitmedden, and that he haid not lent out the said soume for annuelrent.

Elspet Dauidsone, relict of wmquhill Alexander Keyth, in Glassell, declarit that schoe haid restand to hir be William Seatoun of Wdnie, ... ii^{m} merkis.
Summa, frie monies, ii^{m} merkis.
And declarit that schoe haid upliftit the soumes of money following, given up restand to hir in hir sext termes inventar be the persones following, viz.: Be Sir Johne Leslie of Wardes, tua thowsand merkis; be Alexander Keyth, sewin hundreth merkis and fyftie; and be Mr. Robert Forbes, minister at Eight, tua hundreth merkis; and that he haid not lent out the saidis soumes againe for annuelrent.

Mr. Johne Gregorie, minister at Drumoak, declarit that he haid

restand to him be Patrik, bishop of Abirdein; Johne Kennedy of Carnemuck; and Johne Forbes of Balnagask, . . i^m merkis.
Be Robert Seatoun of Minnes, ... i^m merkis.
Be Johne Gordoun of Park, ... i^m merkis.
Be Gilbert Gardyn of Tillifroskie, ... iii^c merkis.
Be George Garioch of Littilendowie, ... vi^c merkis.
Be Mr. Patrik Barclay, minister at Nig, ... v^c merkis.
Be Robert Irwing of Feddret, ... i^m merkis.

Summa, frie moneyes, v^m $iiii^c$ merkis.

And declairit that he haid upliftit the soume of fyve hundreth merkis of the soume of ane thowsand fyve hundred merkis given up restand to him in his sext termes inventar be Johne Gordoun of Park, and that he had not lent out the samen for annuelrent.

Archibald Turing, at the kirk of Foueran, declarit that thair was restand to him,

Be Johne Tillidaff, burges of Abirdein, ... iii^c merkis.
Be Hendrie Turing of Saak, ... $viii^c$ merkis.
Be David Jaffray, burges of Abirdein, ... iii^c merkis.
Be Duncan Forbes, in Bromehill, ... ii^c merkis.
Be David Melving, burges of Abirdein, ... iii^c merkis.
Be Johne Craigheid, in Fidesbeig, ... i^c l merkis.
Be Johne Kellie, baxter, burges of Abirdein, . . . ii^c merkis.
Be umquhill Johne Seatoun, in Pitmedden, . . . ii^c merkis.
Be Alexander Hardie, in Meikle Tippertie, and William Carnegy, his brother, cowper, in Kirkhill, ... i^c l merkis.

Summa, frie moneyis, ii^m vi^c merkis.

And declairit that he haid upliftit the soumes of money following given up restand to him in his sext termes inventar be the persones underwrittin, viz.: Be Johne Turing of Fouerane, tua thowsand merkis; and thrie hundreth merkis of the soume of sex hundreth merkis restand be Johne Tullidaff, burges of Abirdein; thrie hundreth merkis of the soume of fyve hundreth hundreth merkis, be Duncan Forbes, in Brumehill; and ane hundreth merkis restand be Johne Gordoun, burges of the said

burgh; and that he haid not given out the samen againe for annuelrent.

Alexander Keyth, portioner of Duffes, declarit that he had restand to him be Sir William Keyth of Ludquharne, knicht, ... iii^{m} merkis.
Be George Gordoun, younger of Gicht, ... i^{m} merkis.
Be John Leslie of Petcappell, ... iii^{m} merkis.
Be Arthour Forbes of Meanie, ... i^{m} merkis.
Be Androw Barclay, in Ardmaker, ... vi^{c} merkis.
Be Patrik Gordoun of Kincragie, ... v^{c} merkis.
Be William Innes of Meane, ... i^{m} v^{c} merkis.

Summa, frie moneyes, x^{m} vi^{c} merkis.

And declarit that he haid upliftit the soumes of money following given up restand to him in his sext termes inventar be the persones wnderwreittin, viz.: Be William Gordoun of Sauchin, fyve hundreth merkis; be Alexander Smyth, in Rora, thrie hundreth merkis; be Mr. Patrick Gordoun of Braka, sex hundreth merkis; be William Seatoun of Disblair, four hundreth merkis; be James Gordoun of Balmorrell, tua thowsand merkis; be Patrik Meldrum of Eiden, sewin hundreth merkis; and be George Gordoun of Corridowne, ane thowsand merkis; and that he haid not lent out the samen agane for annuelrent.

Alexander Lyon of Muresk declarit that he haid restand to him be umquhill William Gordoun of Rothimay, and his cautioneris, ... vi^{m} merkis.
Be George Gordoun, younger of Gicht, ... iii^{m} merkis.
Be Thomas Ersken of Balhagartie, ... iii^{m} merkis.
Be Johne Leslie of Pitcappell, ... ii^{m} v^{c} merkis.
Be umquhill Johne Urquhart of Lathres, . . . v^{c} merkis.
Be Alexander Straquhan of Glenkindy, ... iii^{m} merkis.
Be Johne Leslie of Wardes, ... i^{m} merkis.

Summa, xviii^{m} merkis.

Quhairof thair is to be defaisit that the said Alexander is restand Mr. Thomas Nicolsone, advocate in Edinburgh, . . vi^{m} merkis.

To George Leslie, merchant in Edinburgh, . . . viii^{c} merkis.
To Johne Bard, in Edinburgh, ... vi^{c} merkis.
To [ ] Forbes of Cursinday, ... ii^{m} merkis.
To George Mihie, in Wadder Burne, ... i^{m} i^{c} merkis.
To Thomas Bruce, in Gremesk, ... vii^{c} l merkis.
To William Meldrum of Thomastoun, . . . i^{m} ii^{c} merkis.
To Patrik Straquhan of Kinaldie, ... v^{c} merkis.

Summa, xii^{m} v^{c} l merkis.

Summa, frie monies, v^{m} iiii^{c} l merkis.

Johne Farquhar of Norum, as procuratour for James Jamesone, in Corss, and declarit that the said James haid restand to him, the said Johne Farquhar, ... ii^{c} merkis.
Be Mr. Thomas Forbes, minister at Lochell, . . . i^{c} merkis.
Be Alexander Crystie, at the myln of Tillifour, . . i^{c} merkis.
Be William Lumsden, in Abirdein, ... l merkis.
Be Johne Wallas, in Knokandauch, . . . xxx merkis
Be Duncan Hendersone, in Craigmyln, . . . xxx merkis.
Be [ ] Harper, in Estir Lochell, . . . xxx merkis.
Be Robert Cromar, in Boigloche . . . . xxx merkis.
Be James Cheylis, in Blairordingis, ... xxx merkis.
Be Thomas Ros, in Meikile Cultis, ... l merkis.
Be Arthour Cowper, in Colquhork, ... lxx merkis.
Be William Rora, in Corss, ... xx merkis.
Be Thomas Forbes thair, ... xx merkis.
Be Nicole Adame, in Bervy, ... xv merkis.
Be Alexander Ros, in myln of Foullis, ... xx merkis.
Be Patrik Easone, at the myln of Cragyvar, . . . xxx merkis.
Be Alexander Laying, in Corss, ... xx merkis.
Be Arthour Farquhar, in Auchinhuif, ... xv merkis.
Be Robert Calder, in Kincragie, ... xv merkis.
Be Alexander Symsone, in Corss, ... x merkis.

Summa, frie moneyis, viii^{c} lxxxv merkis.

And declarit that he haid upliftit the soumes of money following, given up restand to him in his sext termes inventar by the persones following, viz.: Be Johne Gordoun of Tillieludge, ane hundreth merkis; be Thomas Tailyour, in Fawallis, ane hundreth

merkis; by William Lumsden, at the myln of Fowalls, fyftie merkis, of the soume of ane hundreth merkis; be Johne Wallas, in Knokandauchie, fyftie merkis, of the soume of fourscoir merkis; be George Craigmyln, tuentie merkis; and be William Lang, in Inwertoun, threttie tua merkis; and that he haid not givin out the saidis soumes upon annuelrent.

Mr. Robert Lumsden of Auchinleck declarit that he haid restand to him be Arthour Forbes, sone lauchfull to Abraham Forbes of Blacktoun, ... i[m] merkis.
Be Gilbert Meingzeis of Auchorthies, ... i[m] merkis.
Be Johne Lawsone, burges of Abirdein, . . . v[c] merkis.
Be George Adamsone, feir of Bracka, ... v[c] merkis.
Be Johne Tillidaff, burges of Abirdein, ... vi[c] merkis.
Be Johne Lumsden of Tillicarne, ... i[m] merkis.
By Alexander Lumsden of Clova, ... ii[c] merkis.
Be George Gordoun of Nethermuir, ... v[c] merkis.
Be Alexander Gordoun of Carneborrow, ... ii[m] merkis.
Be Robert Guthrie, in Eastert Dysert, ... iii[c] merkis.

Summa, vii[m] vi[c] merkis.

Quhairof thair is to be defaisit that the said Mr. Robert is restand to Johne Chessor, in Culsche, ... vii[c] l merkis.
To Alexander Keyth, in Bruxie, ... i[c] l merkis.
To Thomas Robertsone, burges of Abirdein, . . xliiii merkis.
To Henrie Pattersone, armorer in Abirdein, . . . i[c] merkis.
To David Lindsay, burges of Abirdein, . . . iii[c] xxviii merkis.
To James Lumsden, in Abirdein, ... ii[c] merkis.

Summa, i[m] v[c] xliiii merkis.

Summa, frie moneyis, vi[m] lxvi merkis.

And declarit that he haid upliftit the soumes of money following, givin up restand to him in his sext termes inventar be the persones following, viz.: Be Alexander Lumsden of Clova, four hundreth merkis; be George Gordoun of Nethermuir, fyve hundreth merkis; be Robert Lumsden of Cuschnie, tua hundreth merkis; be Thomas Cowy, burges of Abirdein, tua hundreth merkis; and that he haid not lent out the saidis soumes againe upoun annuelrent.

Jeane Straquhan, relict of umquhill Williame Forbes of Pitgerso, declarit that thair wes restand to hir be George Ogstoune, in Auchmachudie, ... vi^c merkis.
Be Pitter Moir, burges of Abirdein, ... iii^c merkis.
Be Robert Schand and Thomas Skein, in Balhelvies, . . . ii^c merkis.
Be Alexander Fergusone, in Knokhall, ... i^c merkis.
Be Alexander Shireff, in Colpey; John Leyth, in the Maynes of Leslie; and Alexander Leyth, in Drumgowan, . . iiii^c merkis.
Be Mr. Robert Wdnie of Lamingtoun, ... iii^c merkis.
Be Robert Buchan, burges of Abirdein, ... vii^c merkis.
Be James Chein, in Arnedge; and George Andersone, in Tilliangous, ... iiii^c merkis.

Summa, frie monies, iii^m merkis.

And declarit that schoe haid upliftit the soume of allewin hundreth merkis, givin up restand to hir in hir sext termes inventar be James Forbes of Tilligony, and that schoe haid givin the samen to hir bairnes.

Jhone Meldrum, notar publict in Auld Abiredin, declarit thar wes restand to him be Adame Abercromby of Auldrayne, . viii^c merkis.

Summa, viii^c merkis.

Quhairof thair is to be defaisit that the said Johne is restand to Piter Meldrum, sumtyme in Brunthaland; and to James Hay of Muiryfauld, his assignay, ... iii^c l merkis.
To William Crystie, in Warthill, ... lxxv merkis.

Summa, iiii^c xxv merkis.

Summa, frie monies, iii^c lxxv merkis.

And declarit that he haid upliftit the soumes following, givin up restand to him in his sext termes inventar be the persones wnder writtin, viz.: Be Androw Meldrum, burges of Abirdein, tua thowsand thrie hundreth merkis; be George Gordoun of Terpersie, ane thowsand merkis; and be Johne Gardyn, messenger in Abirdein, threttie nyn merkis; and that he haid not lent out the saidis soumes againe for annuelrent.

Thomas Watt, in Glascha, declarit that he haid restand to him be Sir George Oglive of Carnowsies, knicht, . . i^m vi^c merkis.

Summa, i^m vi^c merkis.

Quhairof thair is to be defaisit that the said Thomas is restand to
Mr. Patrik Gordon of Braka, ... iic merkis.
To Johne Glennie, in Auquhorties, ... iic merkis.
To George Watt, in Glascha, ... ic merkis.
To David Mortimer, in Braka, ... ic merkis.
To Cristane Calder, his mother, ... xxx merkis.
To George Glenny, in Sauchin, ... xxx merkis.
To James Pirie, in Boigmyln, ... xlv merkis.

Summa, viic v merkis.

Summa, frie moneyis, viiic lxxxxv merkis.

And declarit that he haid upliftit the soume of tua thowsand merkis, givin up restand to him in his sext termes inventar be Johne Leslie of Petcapell, and be Sir Johne Leslie of Wardes, knicht, aucht hundreth merkis; and that he haid not lent out the said soume again for annuelrent.

Mr. Johne Aunand, minister at Kinnoir, declarit thar wes restand to him be Simone Lord Lovat, ... im iic merkis.
Be Mr. Gawane Dowglas, provost of Elgin, ... iiiic merkis.
Be Mr. Alexander Fraser, minister at Botrifny, . . . vic merkis.
Be Mr. Alexander Innes, minister at Rothimay, . . . vc merkis.

Summa, iim viic merkis.

Quhairof thair is to be defaisit that the said Mr. Johne is restand to Girsell Lermonth, in Elgin, ... ic merkis.

Summa, ic merkis.

Summa, frie moneyis, iim vic merkis.

Patrik Forbes, in Balhelvies, declarit that thair wes restand to him be Johne Gordoun, younger, of Buckie, ... im merkis.
Be Alexander Forbes, youngar, of Boyndlie, . . . im merkis.

Summa, frie moneyis, iim merkis.

And declarit that he haid upliftit the soume of ane hundreth merkis, given up restand to him in his sext termes inventar be Androw Undy, in Balhelvies; and ane other hundreth merkis be Johne Arbuithnot, younger of Carnegall; and that he haid not lent out the saidis soumes againe for annuelrent.

Alexander Glenny, in Ailhouswall, declarit that ther wes restand to him be Sir George Johnstoun of that Ilk, . . i^m v^c merkis.
Be Sir Johne Leslie of Wardes, ... ix^c merkis.
Be Alexander Hervie, in Wattertoun, ... ii^c merkis.
Be George Leslie of Kincragie, ... i^c l merkis.
Be George Fowlar, at the myln of Corskie, . . . i^c merkis.
Be William Smyth, in Blairdaff, ... i^c merkis.

Summa, ii^m ix^c l merkis.

Quhairof thair is to be defaisit that the said Alexander is restand to Johne Glenny, his brother, ... iiii^c merkis.
To Janet Wreicht, in Hilheid of Kincardyn, . . . l merkis.

Summa, iiii^c l merkis.

Summa, frie moneyis, ii^m v^c merkis.

And declarit that he haid upliftit the soume of fyftie merkis, given up restand to him in his sext termes inventar be Johne Leslie of Balquhyn, and that he haid not wared the said soume on his awin necessar effairis, and haid nocht lent out the samen againe for annuellrent.

Mr. William Lumsden, advocat in Abirdein, as ane of the curatores of Thomas Gordoun, and as ane of the tutoris testamentaris to James, Annas, and Janet Gordounes, lauchfull bairnes to umquhill Patrik Gordoun of Nethermuir, declarit that thair wes restand to the saidis bairnes be the persones wnderwrittin the soumes of money following, viz.: To the said Thomas Gordoun,
Be Robert Innes of Balvenie, ... v^c merkis.
To the said James Gordoun,
Be Sir William Keyth of Leidquharne, knicht, . . i^m merkis.
Be James Hackat, in Carnetoun, and be Johne Hackat, his sone, ... ii^m merkis.
Item, to the saidis Annas and Janet Gordounes, equallie betwixt them,
Be Sir Thomas Wrquhart of Cromertie, knicht, . i^m v^c merkis.
Item, to the said Janet Gordoun,
Be James Chein of Arnedg, and be Wm. Seatoun of Scheithin, i^m merkis.

Summa, frie monies, vi^m merkis.

And declarit that Johne Gordoun, son lauchfull to the said um-

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quhill Patrik, is now major, and hes uplifted the soume of fyve hundreth merkis, givin up restand to him in his sex termes inventar be Robert Innes of Balvenie, and that the said Johne hes wared the samen on heretage, and navayes lent out the said soume for annuelrent; and als declarit that he, as tutor to the saidis Annas and Janet Gordones, haid uplifted the soume of fyve hundreth merkis, givin up restand equallie betwixt them in thair sext termes inventar be George Gordoun of Nethermuir; and the soume of ane thowsand merkis, givin up restand to the said Annas in hir sext termes inventar be Mr. William Keyth of Brounttoun, and that the said Mr. William, as tutor foresaid, haid imployed the saidis soumes on vedset to the saidis bairnes thair behaif, and novayes lent out the samen for annuelrent.

Thomas Gordoun of Brodland declarit that thair wes restand to him,
Be Sir James Gordoun, younger, of Lesmoir, . . i^{m} v^{c} merkis.
Be George Gordoun of Terpersie, ... i^{m} merkis.
Be Sir William Keyth of Ludquharne . . . . i^{m} merkis.
Be Johne Oglive of Birnes . . . . . v^{c} merkis.
Be Johne Duncan, burges of Abirdein . . . i^{m} v^{c} merkis.
Summa, v^{m} v^{c} merkis.
Quhairof thair is to be defaisit that the said Thomas is restand to
George Gordoun of Tillachowdie . . . . i^{m} merkis.
To Patrik Bodie, in Pitterheid . . . . . vi^{c} merkis.
To Alexander Gordoun, sone to Dauid Gordoun in Moykhorne, ii^{c} merkis.
To Margaret Smyth in Middelessie . . . . ii^{c} merkis.
Summa, ii^{m} merkis.
Summa, frie moneyis, iii^{m} v^{c} merkis.

And declarit that he haid upliftit the soumes of money eftir specifeit givin up restand to him in his sext termes inventar be the persones following, viz.: be Alexander Fraser in Memsie, fyve hundreth merkis; and be James Maxvell in Colistone, sex hundreth merkis; and that he had wared the saidis soumes upon his awin necessar effairis, and navayes lent out the samen for annuelrent.

Patrik Forbes, sumtyme at the Myln of Eight, now in Mylneboy,

declarit that thair wes restand to him be Frances Frasser of Kinmundy . . . . . i^{m} ii^{c} merkis.

Summa, frie moneyis, i^{m} ii^{c} merkis.

And declairit that he haid upliftit the soume of aucht hundreth merkis, of the sowme of tua thowsand merkis, givin up restand to him in his sext termes inventar be the said Frances Frasser, and that he haid bestowit the samen upon his awin necessar eftairis, and haid not lent out the samen againe upon annuelrent.

Gilbert Skein of Dyce declarit that he haid restand to him be Williame Gray, bailyie of Edinburgh, ii^{m} merkis givin out be the said Gilbert befoir the tuentie aucht of Junii last, for the quhilk he resaues onlie aucht merkis.

Item, givin out be him befoir the said tuentie aucht of Junij last, for the quhilk he resaues nyn for ilk hundreth merkis,

Be Thomas Frasser of Streichin . . . . . iiii^{m} merkis.

Summa, frie moneyis, vi^{m} merkis.

And declarit that he haid upliftit the soumes of money eftir specifit, givin up restand to him in his sext termes inventar be the persones eftir following, viz.: Be Mr. Androw Skein of Halyardis, tua thowsand merkis; be Sir William Forbes of Cragivar, knicht, ane thowsand fyve hundreth merkis; be Johne Udyne of Balhelvies, four hundreth merkis; and be George Johnstoun, younger, burges of Abirdein, ane thowsand ane hundreth merkis; and that he haid vared the saidis soumes on his awin necessar effairis, and navayes lent out the samen agane for annuelrent.

Gilbert Skein of Dyce, as procurator for Johne Skein, servitor to William Erle Merchell, declarit that thair wes restand to the said Johne,

Be William Gray, bailyie, burges of Edinburgh, i^{m} merkis givin out for aucht merkis for the hundreth merkis befoir the tuentie aucht of Junii last,

Be Sir George Johnstoun of that Ilk, knicht, . . ii^{m} merkis.

For the quhilk the said Johne receawes ten merkis for ilk hundreth.

Summa, frie monies, iii^{m} merkis.

And declarit that he haid uplifted the sowme of ane thowsand

merkis, givin up restand to him in his sext termes inventar be Sir William Forbes of Cragivar, knicht, and that he haid navayes lent out the samen againe for annuelrent.

Johne Udny of Balhelvies, as procurator for Robert Udny, his brother, declarit that thair wes restand to the said Robert,
Be Williame Forbes of Tolquhon, x^{n} merkis givin out for nyn the hundreth befoir the tuentie aucht of Junii last,
Be Robert Buchan of Portlethin, . . viii^{c} xvii merkis iis. 8d.
For quhilk ten is payable for ilk hundreth thairof.
Summa, frie moneyis, x^{m} viii^{c} xvii merkis iis. 8d.
And declarit that he haid uplifted the soume of sex thowsand merkis, givin up restand to him in his sext termes inventar be William Gray, burges of Edinburgh, and he haid not lent out the samin againe for annuelrent.

Johne Pattersone in Sauchinlone declarit that he haid restand to him be George Leslie, portioner of Inverurie . . i^{m} merkis.
Givin out be him for nyn the hundreth befoir the tuentie aucht of Junii last.
Summa, frie moneyis, i^{m} merkis.
And declarit that he haid uplifted the soume of twa thousand merkis givin up restand to him in his sext termes inventar, be Mr. James Cruikshank of Tillimorgan, and the soume of fyve hundreth merkis be George Leslie of Rothmes, and that he haid not lent out the samen againe for annuelrent.

Alexander Dauidsone, sumtyme in Eggie, and now in Ouertoun of Balhelvies, declarit that he haid restand to him, for quhilk he onlie resanit nyn for the hundreth given out be him befoir Junii last 1633,
Be Alexander Buchan of Auchmacoy . . . . i^{m} merkis.
Summa frie moneyis, i^{m} merkis.

George Dalgarno, in Pithill of Kinmuck, declarit that he haid restand to him givin out befoir Junii last,

Be Sir Alexander Irwin of Drum, knight, . . i^m v^c merkis.
Be Williame Forbes of Knapernay, ... i^m merkis.
For the quhilk soumes he sould receaue aucht merks for ilk hundreth thairof, conforme to the bond maid thairanent.
Item, be the said William Forbes of Knapernay, . . ii^m merkis.
Be Robert Seatoun of Minnes, ... viii^c merkis.
Be Johne Irwing of Torrieleyth, ... iii^c merkis.
Summa, v^m vi^c merkis.
Quhairof thair is to be defaisit that the said Johne is restand to
Robert Chein, in Arrieburne, ... i^c l merkis.
To Margaret Gormak, in Peithill, ... i^c merkis.
To Elspet Forbes, in Gowallis, ... i^c l merkis.
Summa, iiii^c merkis.
Summa, frie monies, v^m ii^c merkis.

Gilbert Johnstoun, in Inverourie, declarit that he haid restand to him be Sir George Johnstoun of that Ilk, knicht, i^m ii^c merkis.
Quhairof he sould receaue acht for ilk hundreth thairof; and wes givin out befoir Junii last.
Be Johne Irwing of Torrieleyth, for quhilk he sould receaue nyn for ilk hundreth, ... viii^c l merkis.
Summa, i^m ix^c l merkis.
Quhairof thair is to be defaisit that the said Gilbert is restand to
Johne Baird, in Knokinglas, ... i^c merkis.
To Thomas Davidsone, in Fawallis, ... i^c merkis.
To Thomas Watsone, burges of Abirdein, . . . i^c merkis.
To Daniel Ray, in Kintor, ... l merkis.
Summa, iii^c l merkis.
Summa frie moneyis, i^m vi^c merkis.

Johne Irwing of Torrieleyth declarit that thair wes restand to him be Williame Erle Merchell, ... x^m merkis.
Quhilk wes givin out be him for Junii last, 1633, and for the quhilk he sould receaue onlie nyn of ilk hundreth thairof.
Summa, x^m merkis.
Quhairof thair is to be defaisit that the said Johne is restand to
Alexander Irwing of Tarsettis, ... iii^c merkis.
To George Irwing, in Doualtie, ... iii^c merkis.

To Jeane Irwing, dauchter to umquhill Mr. Robert Irwing of Moneoffer, ... vc l merkis.
To Robert Irwing of Moneoffer, ... ic xx merkis.
To Alexander Irwing of Fortrie, ... im iic merkis.
To Alexander Irwing, brother to the said Robert Irwing of Moncoffer, ... im merkis.
To Thomas Schand, servitor to the laird Drum, . . iiic merkis.
To Gilbert Johnstoun, in Inverourie, . . . viic l merkis.
To Johne King, in Caskieben, ... iiic merkis.
To Mr. Gilbert Irwing, in Brachmont, ... ic l merkis.
To George Dalgarno, in Peithill, ... iiic merkis.
To James Irwing, sone to Johne Irwing of Artumphard, vic merkis.
To Thomas Thomsone, burges of Abirdein, . . . ic l merkis.
To Dauid Lindsay and William Huiesone, burgessis thair, lx merkis.
To Johne Irwing, younger of Artamphart, . . . ic merkis.
To George Massie, in Stewinburne, ... ic merkis.

Summa, vim iic lxxx merkis.

Summa, frie monies, iiim viic xx merkis.

Patrik Pantoun, in Auehrye, declarit that he haid restand to him be Sir Alexander Hay of Dalgatie, ... vc merkis.
Be Johne Ros, at the myln of Turref, ... ic merkis.
Be Johne Andersone, in Forglen, ... ic merkis.
Be Johne Wrquhart, in Mylnseat, ... ic merkis.
Be Robert Barclay, in Tollie, ... iiic merkis.

Quhilk last thrie hundreth merkis wes givin out befoir Junii last, 1633, and that he receaues onlie aucht for ilk hundreth thairof.

Summa, frie moneyis, im iic merkis.

And declarit that he haid upliftit the soume of ane hundreth merkis, givin up restand to him in his sext termes inventar be Johne Irving, in Blakhillis, and the soume of ane hundreth merkis be James Pantoun, elder of Heddriehall, and that he haid imployed the saidis soumes upon his awin neeessar effairis, and haid not lent out the samen againe for annuelrent.

Robert Irving of Fedderet, as procurator for Dame Marione Dowglas Lady Drum, his mother, declarit thât thair wes restand to hir be the said Robert, ... vm merkis.

Givin out befoir the tuentie aucht of Junii last, for the quhilk he sould onlie pay aucht for ilk hundreth thairof.

Be John Oglive of Innerquharite, ... i[m] merkis.

Be Sir Robert Grahame of Murphie, ... i[m] merkis.

Summa, frie moneis, vii[m] merkis.

And declarit that sho had uplifted the soumes of money following, givin up restand to hir in hir sex termes inventar be the persones eftir mentionat, viz.: Be William Gordoun of Knokaspeck, ane thowsand and fyve hundreth merkis; be Williame Gordoun of Kinminnitie, ane thowsand and fyve hundreth merkis; and fyve hundreth merkis of the soume of ane thowsand pundis be Johne Oglive of Inverquharitie; and that schoe haid not lent out the saidis soumes againe for annuelrent.

Williame Moir, in Caberstoun, declarit that he haid restand to him be Androw Burnet of Schethokisley, . . . iiii[m] merkis.

Givin out be him befoir Junii last, for quhilk he sould receaue onlie nyn for ilk hundreth thairof.

Summa, frie monyes, iiii[m] merkis.

Hendrie Nicol, in Cortanis, declarit that thair wes restand to him be Sir James Gordoun of Lesmoir, ... i[m] merkis.

Be Androw Burnet of Schethokisley, ... iii[c] merkis.

Givin out be him befoir Junii last, 1633, for nyn of the hundreth.

Be Alexander Skein, in Drumbrack, ... ii[c] merkis.

Givin out also be him for nyn the hundreth befoir the said moneth of Junii last.

Be Mr. William Chalmer of Waster Disblair, . . iiii[c] merkis.

Summa, frie moneyis, i[m] ix[c] merkis.

And declarit that he haid upliftit the soumes of money following, givin up restand to him in his sext termes inventar be the persones wnder writtin, viz.: Be Johne Tailyour, in Adisloun, ane hundreth merkis; be Androw Stewin, litster in Abirdein, four hundreth merkis; be Alexander Finlater, litster thair, ane hundreth merkis; and be Mr. Robert Forbes, minister at Eight, four hundreth and fyftie merkis; and that he haid imployed the saidis soumes on his awin necessar effairis, and not for annuelrent.

Thomas Donaldsone, burges of Abirdein, as procurator for Mr. William Hay, minister at Crimond, declarit that thair wes restand to the said Mr. William, be Sir William Keyth of Ludquharne, knicht, ... iii^{m} merkis.
Quhilk was lent out be him for nyn of the hundreth befoir the last act of Parliament.

Summa, iii^{m} merkis.

Quhairof thair is to be defaisit that the said Mr. William is restand to George Clerk, in Ernehill . . . . . iii^{c} merkis.
To the Kirk Sessioun of Crimond, ... i^{c} merkis.

Summa, iiii^{c} merkis.

Summa, frie moneyes, ii^{m} vi^{c} merkis.

James Irving, in Cullairlie, declairit that thair wes restand to him be Sir William Forbes of Cragyvar, ... vi^{c} merkis.
Be Alexander Gordoun of Abirgeldie, ... iii^{c} merkis.
Be Alexander Skein, in Drumbreck, ... iii^{c} merkis.
Be the Lard of Eight, ... ii^{c} merkis.

Summa, i^{m} iiii^{c} merkis.

Quhairof thair is to be defaisit that the said James Irwing is restand to Johne Cuschnie, in Park, ... i^{c} l merkis
To Marione George, in Phobbis, ... l merkis.
To Elspet Farquhar, in Cullarlie, ... ii^{c} merkis.
To Elspet Irwing, dauchter to umquhill Mr. Richart Irwing, burges of Abirdein, ... ii^{c} merkis.
To Johne Philp, chapman, ... i^{c} merkis.
To Alexander Irwing, in Cullarlie, ... iiii^{c} merkis.

Summa, i^{m} i^{c} merkis.

Summa, frie moneyes, iii^{c} merkis

Mr. Thomas Gordoun, at Keathismyln, procurator for Mr. George Gardyn, persone of Clatt, declarit that thair wes restand to him be Mr. William Lumsden, advocat in Abirdein, . vii^{c} l merkis.

Summa, vii^{c} l merkis.

Quhairof thair is to be defaisit that the said Mr. George is restand to Mr. William Dauidsone, minister at Auchindoir, . i^{c} l merkis.
To Mr. Adame Barclay, minister at Awfurd, . . . i^{c} merkis.
To Alexander Black, in Essie, ... ii^{c} merkis.

To William Laing, in Barflet, ... l merkis.
To Elspet Wilsone, in Auchmenezie, ... l merkis.

Summa, v^c l merkis.

Summa, frie moneyes, ii^c merkis.

And declarit that he haid upliftit the soume of fyve hundreth merkis, givin up restand to him in his sext termes inventar be George Gordoun of Terpersie, and uther fyve hundreth merkis restand to him be Johne Gordoun of Park, and haid not lent out the saidis soumes againe for annuelrent.

Mr. Thomas Gordoun, at Kethokismyln, declarit that thair wes restand to him be Sir Alexander Gordoun of Cluny, knicht, i^m merkis.

Summa, i^m merkis.

Quhairof thair is to be defaisit that the said Mr. Thomas is restand
To Dauid Bartlot, in Arieburne, ... iii^c merkis.
To Robert Alexander, burges of Abirdein, . . . iii^c merkis.
To Androw Youngsone, in Auld Abirdene, . . . i merkis.

Summa, vii^c merkis.

Summa, frie moneyes, iii^c merkis.

And declarit that de haid uplifted the soume of tua thowsand merkis, givin up restand to him in his sext termes inventar be Johne Leslie, elder and younger of Petceppell, and had not lent out the samen againe for annuelrent.

Alexander Herwie, in Wattertoun, declairit that thair wes restand to him be Alexander Gordoun of Carneborrow, . . iiii^m merkis.

Summa, iiii^m merkis.

Quhairof thair is to be defaisit that the said Alexander is restand
To Alexander Glennie, Ailhous Wall, ... ii^c merkis.
To Dauid Bartlet, in Arieburne, ... ii^c merkis.
To James Mackie, at the myln of Crabstoun, . . . i^c merkis.
To Androw Wilsone, in [ ] . . . . . i^c merkis.
To Helen Abirdein, in Belhelvies, ... l merkis.

Summa, vi^c l merkis.

Summa, frie moneyes, iii^m iii^c l merkis.

And declarit that he haid upliftit the soume of fyve hundreth merkis, givin up restand to him in his sext termes inventar be

Gilbert Herwie, elder, burges of Abirdein, and that he haid nocht lent out the samen agane for annuelrent.

Mr. Robert Reid, minister at Banchorie Tarnen, tutor lauchfull to Patrik and Issobell Reidis, lauchfull bairnes to umquhill Mr. Adame Reid, sumtyme minister at Meathlic, declarit that the haill soumes of money, givin up restand to the said umquhill Maister Adame be the persones conteinit in the fourt termes inventar of this present taxatioun, ar still restand wnchangit since the deceis of the said umquhill Mr. Adame, quha deceasit at Mertimes, 1632, and thairfor the said Mr. Robert, as tutor foirsaid, adheris to the said fourt termes inventar for the sewint terme, and for the fyft and sex termes of the samen taxatioune; and that the said Patrik and Issobell Reidis thair frie moneyes in this sewint terme extendis to . . . ix^{m} v^{c} xv merkis.

Summa, frie moneyes, ix^{m} v^{c} xv merkis.

Curia vicecomitatus de Abirdein tenta in pretorio ejusdem decimo tertio die mensis Nouembris anno Domini millesimo sexcentesimo trigesimo quarto per discretum virum Willielmum Cordonir vicecomitem deputatum dicti vicecomitatus pro tribunali seden. sectis vocatis in curia legittime inchoata et affirmata.

Followis the persones quha compeirit not in the preceiding termes to give up inventaris, but now compeirit, and declarit that befoir this sewint terme they haid no frie moneyes upon profeit, and thairfoir gave up the moneyes ewerie man as followes:

John Leyth, in Newlandis, declarit that thair wes restand to him be Mr. Androw Logie, persone of Rayne, . . . viii^{c} merkis.

Summa, viii^{c} merkis.

Quhairof thair is to be defaisit that the said Johne is restand to Johne Leslie, in Wasthall, ... i^{c} merkis.

To George Runsieman, in Newlandis, ... i^{c} merkis.

Summa, ii^{c} merkis.

Summa, frie monies, vi^{c} merkis.

James Irwing, second lauchfull sone to Johne Irwing of Artamphart, declarit that thair wes restand to him and Annas Keyth, his spous, lauchfull dauchter to umquhill Mr. Alexander Keyth, portioner of Duffes,

Be Alexander Gordoun of Abirzeldie, ... i[m] merkis.
Be Thomas Erskein of Balhaggartie, ... i[m] merkis.
Be Mr. Patrik Maitland of Auchincrive, ... v[c] merkis.
Be Robert Farquharsone of Invercauld, and James Farquharsone of Inverrey, ... v[c] merkis.

Summa, frie moneyes, iii[m] merkis.

Gilbert Cowtis, sone to umquhill Laurence Cowtis, in Cullairlie, declarit that thair wes restand to him,

Be James Calder of Aslown, younger, ... i[m] merkis.
Be Sir William Forbes of Monymusk, ... ii[m] merkis.
Be Johne Cowtis, his brother, ... ii[c] l merkis.

Summa, iii[m] ii[c] l merkis.

Quhairof thair is to be defaisit that the said Gilbert is restand to Androw Stewin, burges of Abirdein, ... iiii[c] l merkis.
To James King, in Lochheid . . . . . i[c] merkis
To Alexander Thomsone, advocate in Abirdein, . . xxv merkis.
To James Hunter, in Tillierivall, ... xxv merkis.

Summa, vii[c] merkis.

Summa, frie moneyis, ii[m] vi[c] l merkis.

Androw Burnet of Schethokisley, as curator to Agnes Burnet, lauchfull dochter to umquhill Johne Burnet, declarit that thair wes restand to the said Agnes,

Be umquhill Robert Forbes of Eight, ... viii[c] merkis.

Summa, frie moneyis, viii[c] merkis.

Janet Skein, relict of umquhill Johne Forbes of Byth, declarit that thair wes restand to hir,

Be William Erle of Errell, ... xv[m] merkis.
Be Johne Turing of Fouerane, ... x[m] merkis.
Be Mr. Patrik Guthrie, minister at Logie Buchan, . i[m] iii[c] merkis.

Summa, frie moneyes, xxvi[m] iii[c] merkis.

Isobell Forbes, Lady Williamstoun, declarit that schoe haid restand to hir be William Cowtis, younger of Auchtercoull, i^m ii^c merkis
Be Johne Leyth of Harthill, ... $iiii^c$ merkis.
Summa, frie moneyis, ii^m vi^c merkis.

Followis the persones quha comperit and declairit that they haid changit thair former inventaris, and that at this sewint terme thair stock did not exceid fyve hundreth merkis, and thairfoir, conforme to the act of parliament, they aucht to be frie of any peyment of extraordinar taxatioun :

Johne Patersone, in Sauchinlon, as procurator for Alexander Blakchrie, in Tocher, being seik, declarit that thair wes restand to the said Alexander be Archibald Rait, portioner of Lentush, v^c merkis.
Quhilk wes givin out befoir the tuentie aucht of Junii for nyn of the hundreth.
Summa, frie moneyes, v^c merkis.
And declarit that he haid uplifted the soume of ane thowsand merkis, givin up restand to him in his sext termes inventar be George Rait, in Folis, and that he haid imployet the samen upon his awin particular effairis, bot haid nocht lent out the samen againe for annuelrent.

Alexander Walker, in Kirkhill of Cluny, declarit that he had restand to him be George Forbes of Allathin, . . $iiii^c$ merkis.
Be William Gordoun of Sauchin, ... i^c l merkis.
Of the quhilkis soumes he quytis the profeits to his Majestie.
Be Mr. Robert Forbes, minister at Eight, . . . i^c merkis.
Be Alexander Skein, in Drumbreck, ... i^c merkis.
Be Alexander Gardyn, in Muirailhous, ... i^c merkis.
Be William Forbes of Tillachodie, ... l merkis.
Summa, frie moneyis, iii^c l merkis.
And declarit that he haid uplifted the soumes of money following givin up restand to him in his sext termes inventar be the persones underwreittin, viz. : Be William Lessell, in Dullab, ane hundreth merkis ; be James Forbes, burges of Abirdein, fyftie

merkis ; be Robert Myln, burges of Aberdein, tyftie merkis ; be Robert Middleton, in Tilliebirlauch, fyftie merkis ; be James Couper, in Blairneill, fyftie merkis ; and be James Crystie, in [ ] tuentie-fyve merkis ; and that he haid imployed the saidis soumes on his awin particular affairis, and haid not lent out the samen for annuel rent.

Williame Liedgervod, in Middel Disblair, declarit that ther wes restand to him be Robert Symer, in Torrieleyth, . . l merkis.
Be James Chalmer, in Wastertoun, ... i^c merkis.
Be Hendrie Leslie, in Cowsteaines, ... ii^c merkis.
Be Mr. Robert Jameson of Tillikeirie, ... l merkis.
Be James Meling, in Denmyln, ... l merkis.
Summa, iiii^c l merkis.
And that he is also restand to Johne Symer, in Bogie, . i^c merkis.
Summa, i^c merkis.
Summa, frie moneyis, iii^c l merkis.
And declarit that he haid uplifted the soumes of money following givin up restand to him in his sext termes inventar be the persones wnderwreittin, viz. ; Be Robert Joiss, in Lairshill, ane hundreth and fyftie merkis ; be Mr. James Herwie, minister at New Machar, ane hundreth markis ; be Johne Lamb, in Boddames, ane hundreth merkis ; fyftie merkis of the soume of ane hundreth merkis, be Robert Symer, in Torrieleyth ; be William Seatoun of Disblair, ane hundreth merkis ; be Andrew Gray, in Mandurno, ane hundreth merkis ; and be Mr. Adame Barclay, minister at Fintray, fyftie merkis ; and that he haid not lent out the saidis soumes againe for annuelrent.

Duncan Calder, in Cowll, declarit that he haid restand to him be George Gordoun of Terpersie, ... v^c merkis.
Summa, frie monies, v^c merkis.
And declarit that he haid uplifted the soume of thrie hundreth merkis of the soume of aucht hundreth merkis givin up restand to him in his sext termes inventar be George of Terpersie ; and fyftie merkis be Johne and George M'Comies, in Nether Ruthvens ; and that he haid not ward the saidis soumes againe for annuelrent.

James Smyth, at the Miln of Rothie, declarit that thair wes restand to him be George Leyth of Thriefield, . . v^c merkis. And declarit that he haid uplifted the soume of ane thousand merkis givin up restand to him in his sex termes inventar be Mr. Patrik Andersone of Mylntoun; and that he haid not lent out the said soume again for annuelrent.

Followis the persones quha compeirit personalie, and declarit that they haid no frie moneyes upon annuelrent, but haid changit thair former inventaris givin up restand to thame in the sext terme in maner following, viz. :

Mr. James Forbes of Hauchtoun declarit that he haid restand to him be George Buchan of Saak, ... iii^m merkis.
Be Sir William Forbes of Monymusk, ... i^m merkis.
Be Johne Leslie, elder and younger of Peteappell, . . i^m merkis.
Summa, v^m merkis.
Quhairof thair is to be defaisit that the said Mr. James is restand to James Burnet of Craigmyln, ... v^m merkis.
Summa, v^m merkis.
Summa, frie moneyes, nihil.

Alexander Straquhan of Glenkindy declarit that he haid restand to him be Johne Lord Erskin, ... x^m merkis.
Be Janet Keyth of Touxhill, ... viii^c merkis.
Be umquhill Alexander Fraser of Techmure, . . vii^c lxxii merkis.
Summa, x^m v^c lxxii merkis.
Quhairof thair is to be defaisit that the said Alexander is restand to James Dauidsone, induellar in Abirdein, . . . iii^m merkis.
To William Morisone, burges thair, ... ii^m merkis.
To Johne Galloway, burges thair, ... ii^m merkis.
To Johne Donaldsone, notar publick thair, . . . ii^m merkis.
To Alexander Lyon of Muresk, ... ii^m merkis.
Summa, xi^m merkis.
Summa, frie moneyes, nihil.
And declarit that he haid uplifted the soume of sewin hundreth

thrie scoir tua merkis, given up restand to him in his sext termes inventar, be umquhill Alexander Frasser of Techmurie, and that he haid not lent out the samen againe for annuelrent.

Johne Littiljohne, in Tillimorgan, declarit that thair wes restand to him be Alexander Andersone, in Littilwranghame, . iic merkis.
Be Johne Hall, in Mealingsyd, ... lxxx merkis.
Be Richart Gordoun, at the Myln of Syd, . . . ic merkis.
Be Marie Cruikschank, guidwyf of Rothmeis, . . . lxxv merkis.
Of the quhilkis soumes he quytis the profeit to his Majestie.
Be Robert Mungall, in Dunnider, ... l merkis.
Be Normond Hall, in New Rayne, ... l merkis.
Be George Cruikschank, in Mealingsyd, ... l merkis.

Summa, ic l merkis.

Quhairof thair is to be defaisit that the said Johne is restand to the Guidvyf of Garnesmyln, ... ic merkis.
To Alexander Cruikschank, in Durnocht, ... l merkis.

Summa, ic l merkis.

Summa, frie moneyes, nihil.

And declarit that he haid uplifted the soumes of ane hundreth merkis givin up restand to him in his sext termes inventar be Alexander Littiljohn, in Williamstoun, and fyftie merkis be William Edvart, in Wrangheame, and that he had not lent out the saidis soumes againe for annuelrent.

Sir Alexander Irwing of Drum, knicht, declarit that he haid restand to him be William Errle of Erroll, . . . xm merkis.
Be William Seatoun of Meldrum, ... iim merkis.
Be Robert Seatoun of Minnes, ... im merkis.
Be Johne Oglive of Birnes, ... iim merkis.
Be Sir William Dowglas of Glenbervie, ... im merkis.
Be Johne Wod, at the Myln of Fintray, ... ic l merkis.
Be Johne Ros, at the Miln of Turref, . . . ic lxxx merkis.
Be Johne Hay of Crimondmogat, Johne Hay, burges of Abirdein, and James Hay of Murifauld, ... ixm merkis.

Summa, xxvm iiic xxx merkis.

Quhairof thair is to be defaisit that the said Sir Alexander is restand to the brethrein of Johne Keyth of Glackriauch, iiii^{c} merkis.
To Alexander Irwing of Alterie, ... i^{m} v^{c} merkis.
To Robert Irwing, his brother, ... i^{m} merkis.
To Jeane Irwing, sister to the said Robert, . . . v^{c} merkis.
To [ ] Irwing, thair youngest sister, . . . i^{m} merkis.
To George Dalgarno, in Peithill, ... i^{m} v^{c} merkis.
To Magnus Caddenheid, in Cortance, ... i^{m} merkis.
To James Irwing, sumtyme in Kirktoun, . . . i^{m} merkis.
To Jeane Cahund, in Kellie, ... v^{c} merkis.
To the Collidge and Schollis of New Abirdein, mortifiet by unquhill Alexander Irwing of Drum, his father, . . xv^{m} merkis.
To Robert Farquharsone of Finzean, ... iiii^{m} merkis.

Summa, xxvii^{m} iiii^{c} merkis.

Summa, frie moneyis, nihil.

And declarit that he haid upliftit the soumes of money following, givin up restand to him in his sext termes inventar, viz.: Be Sir George Johnstoun of that Ilk, tua thowsand merkis; the soume of fyve thowsand merkis of the soume of sewin thowsand merkis restand be William Seatoun of Meldrum; tua thowsand merkis be Alexander Buchan of Auchmacoy; and ane thowsand merkis be Mr. James Buchan of Auchmacoy; and that he haid not lent out the saidis soumes againe for annuelrent.

Robert Irwing of Fedderit declarit that he haid restand to him be William Erle Merchell, ... viii^{m} ii^{c} l merkis.
Be William Gordoun of Brodland, ... i^{m} vi^{c} l merkis.
Be Johne Leslie, deane of gild of Abirdein, . . . i^{m} merkis.
Be Robert Seatoun of Minnes, ... i^{m} v^{c} merkis.
Be the said Robert Seatoun, ... i^{m} merkis.
Be Helen Liddell, in Abirdein, ... iii^{c} merkis.
Be Johne Leyth, in Abirdein, ... v^{c} merkis.
Be Robert Keyth of Auldmad, ... iii^{c} merkis.
Be Alexander Gordoun of Abirgeldie, quhairunto the name of Johne Irwing of Artamphart is borrowit, . . . i^{m} iiii^{c} merkis.

Be William Gordoun of Knokaspeck, and William Gordoun of Brauchley, ... iii^{m} iii^{c} merkis.

Summa, xix^{m} ii^{c} merkis.

Quhairof thair is to be defaisit that the said Robert is restand to

Mr. Thomas Merser, writer in Edinburgh, . i^{m} v^{c} merkis.
To George Keyth, in Pitterheid, ... iii^{m} merkis.
To Dauid Rickart, burges of Abirdein, . . . ii^{m} ii^{c} merkis.
To Johne Alschioner, burges of Abirdein, . . . i^{m} vi^{c} l merkis.
To Alexander Irwing of Tarsettis, . . . ii^{m} i^{c} merkis.
To Archibald Beanes, burges of Abirdein, and to the said Mr. Thomas Merser, ... ii^{m} i^{c} merkis.
To Dame Marione Dowglas, Lady Drum, . . . v^{m} merkis.
To Johne Chessor, in Culsche, ... i^{m} v^{c} merkis.
To Gilbert Cowtis, sone to umquhill Laurence Coutis, in Culairlie, ... ii^{c} merkis.
To Jeane Cahund, servitrix to the Lady Drum, . . v^{c} merkis.
To Mr. Johne Greigorie, minister at Drummaock, . . i^{m} merkis
To Robert Irwing, son to William Irwing of Beltie, . . i^{m} merkis.

Summa, xxi^{m} vii^{c} l merkis.

Summa, frie moneyes, nihil.

And declairit that he haid uplifted the soumes of money following, givin up restand to him in his fourt termes inventar, viz. : Ane thowsand and fyve hundreth merkis be Eumond Gradyn; ane thowsand merkis be Johne Gordoun, younger of Buckie; tua hundreth merkis of fyve hundreth merkis be Robert Keyth of Auldmad; ane hundreth and fyftie merkis be William Seatoun of Petgerso; and four hundreth merkis of sewin hundreth restand be Helen Liddell, in Abirdein; and that he haid not lent out the saidis soumes againe for annuelrent.

Johne Meldrum, notar publict in Auld Abirdein, as procurator for Mr. Thomas Mitchell, persone of Turref, declairit that thair wes restand to the said Mr. Thomas,

Be Francis Fraser of Kinmundy, ... i^{m} merkis.
Be Mr. Patrik Maitland of Auchincreive, . . . iiii^{c} merkis

Summa, i^{m} iiii^{c} merkis.

Quhairof thair is to be defaisit that the said Mr. Thomas is restand to George Gardyn, in Hopishill of Belhelvies, . . viii^{c} merkis.

To Isobell Reid, dauchter to umquhill Mr. Johne Reid, persone of Logy, ... vii^{c} merkis.

Summa, i^{m} v^{c} merkis.

Summa, frie moneyes, nihil.

And declarit that he haid uplifted the soumes of money following, givin up restand to him in his sext termes inventar be the persones underwrittin, viz.: Be Gilbert Colisone and Johne Lawsone, burgessis, four thowsand merkis; be Maister Widast Lawsone and James Collisone, burgessis thair, aucht hundreth merkis; and be Johne Forbes of Gask, fyve hundreth merkis; and that he haid not lent out the saidis soumes againe for annuelrent.

Johne Forbes, burges of Abirdein, sone to Robert Forbes, in Inver, declarit that sen the terme of Witsonday last, i^{m} vi^{c} threttie thrie yeiris, he is maid burges of Abirdein and brother of gild, and hes his actuall residence within the said burgh, and scottis, lottis, watches, and wardes with the remanent inhabitantes of the samen burgh, trafeckis with them, and peyis extraordinarie taxatioune to the provest and bailyies thairof, and thairfoir aucht to be frie of peyment of taxatioune for his frie moneyes contenit in his sext termes inventar, extending to . . xiii^{m} merkis.

Summa, frie moneyes, nihil.

Johne Udny of Balhelvies declarit that thair wes restand to him be Johne Erle of Kinghorne, ... xi^{m} merkis.

Be the said nobill Errl, for quhilk aucht onlie is dew, i^{m} viii^{c} merkis.

Be Patrik Stewart, James Schand, and Johne Wrquhart, vi^{c} merkis.

Be Johne Dovertie, in Ardo, ... iiii^{c} merkis.

Summa, xiii^{m} viii^{c} merkis.

Quhairof thair is to be defaisit that the said Johne is restand to Johne lord Sinclar, ... xiii^{m} viii^{c} merkis.

Summa, xiii^{m} viii^{c} merkis.

Summa, frie moneyes, nihil.

Curia vicecomitatus de Abirdein tenta in pretorio ejusdem vigesmo die mensis Nouembris anno Domini millesimo sexcentesimo trigesimo tertio per honorabilem virum Willielmum Cordoner vicetem deputatum dieti vicecomitatus pro tribunali seden. sectis wocatis in curia legittime inchoata et affirmata.

Followis the persones quha comperit this sewint terme, and declarit that they haid no moneyes upon profeit, bot haid upliftit the haill soumes givin up be them in thair sext termes inventar, and spendit the samen upon thair awin necessar effairis, bot haid not lent out the saidis soumes againe for annuelrent; ewrie persone his frie moneyes contenit in his sext termes inventar extendis as followis:

Johne Chalmer of Balnacraig his frie moneyes contenit in his sext termes inventar extendis to . . . . . v^{c} xxiiii merkis.
Johne Clerk, in Tillikirie, his frie moneyes conteinit in his sext termes inventar extendis to . . . . . v^{c} merkis.
Williame Robertsone, in Haybogis, his frie moneyes conteinit in his sext termes inventar extendis to . . . . i^{m} merkis.
Mr. James Herwie, minister at New Machar, his frie moneyes conteinit in his sext termes inventar extendis to . i^{m} v^{c} merkis.
Ronald Chein, in Ardiharrald, his frie moneyes conteinit in his sext termes inventar extendis to . . . . viii^{c} xxx merkis.
Mr. Patrik Andersone of Mylntoun his frie moneyes conteinit in his sext termes inventar extendis to . . . i^{m} v^{c} merkis.
Williame Meldrum, at the auld myln of Fuchill, his frie moneyes conteinit in sext termes inventar extendis to . i^{m} i^{c} lxxxx merkis.
Alexander Forbes, in Kinaldie, his frie moneyes conteinit in his sext termes inventar extendis to . . . . i^{m} ix^{c} merkis.
Mr. Androw Straquhan, minister at Tillienessell, his frie moneyes conteinit in his sext termes inventar extendis to . ii^{m} i^{c} l merkis.
Williame Towar, in Auchmunzie, his frie moneyes conteinit in his sext termes inventar extendis to . . i^{c} lxxxxvii merkis vi s. 8 d.
Mr. Johne Gellie, persone of Monymusk, his frie moneyis conteinit in his sext termes inventar extendis to . . . iii^{m} ii^{c} merkis.

Mr. Gilbert Keyth, minister at Bourtie, his frie moneyes conteinit in his sext termes inventar extendis to . . . vi^{m} iiii^{c} merkis.

Mr. Androw Kant, minister at Petsligo, his frie moneyes conteinit in his sext termes inventar extendis to . . . viii^{c} merkis.

George Johnstoun, sone lauchfull to umquhill Thomas Johnstoun in Kinkell, his frie moneyes conteinit in his sext termes extendis to . . . . . i^{m} merkis.

Mr. William Broun, persone at Inuernochtie, his frie moneyes conteinit in his sext termes inventar extendis to . . v^{m} merkis.

James Andersone, in Dumbennan, his frie moneyis conteinit in his sext termes inventar extendis to . . . . . vi^{c} l merkis.

Alexander Wilsone, at the kirk of Eight, his frie moneyes conteinit in his sext termes inventar extendis to . . . i^{m} l merkis.

Jane Gordoun, sister to Mr. Thomas Gordoun, at Kethokismyln, hir frie moneyis conteinit in hir sex termes inventar extendis to . . . . . i^{m} vii^{c} l merkis.

Johne Irwing of Artamphuird, sumtyme tutor to Annas and Margaret Keythes, declarit that they ar now maried, the ane with James Irwing, his sone, the uther with Alexander Farquharsone, younger of Finzean; and that he haid maid compt reckning and payment to Thomas Erskein of Balhagardie, Mr. Alexander Jaffray, burges of Abirdein, thair curatoris, of the haill soumes of money givin up restand to them in thair sext termes inventar, extendis to . . . . . vii^{m} ii^{c} merkis.

Curia vicecomitatus de Abirdein tenta in pretorio ejusdem vigesimo die mensis Februarii anno Domino 1634 per Willelmum Cordoner vicecomitem deputatum etc.

The quhilk day compeirit the persones particularlie wnderwreitin, taking benefitt of the proclamatione maid, givand libertie to all sick persones as haid omitted ongiven up for the first termes taxatioume of tua merkis for ilk ten, at the terme of Mertimes, and now gave up in maner following, viz.:

Maister Alexander Farquhair, sone lauchfull to Johne Farquhar

of Norum, in name of the said Johne, declarit that thair wes restand to him be Sir William Forbes of Cragivar, knicht, upon the wodset of the landis of Synnaboth, Synahard, Elphhillock, Carnecoullie, Mylntoun thairof, Corbanchorie, Pitbrane, &c. xx^{m} merkis. Quhairof he is in actuall possession.

Summa, frie moneyes, xx^{m} merkis.

Johne Forbes of Leslie declairit that he haid restand to him upon the landis of Banchorie, disponit to him be Sir William Forbes of Monymusk, knicht, under the provisiounes and conditiones specifeit in the securiteis maid thairanent, . xiii^{m} viii^{c} xl merkis.

Summa, frie moneyis, xiii^{m} viii^{c} xl merkis.

Mr. William Lumsden, advocat in Abirdein, declarit that he haid restand to him be the ayris of umquhill Mr. John Leyth, commissar of Abirdein, wpon the wodset of the landis of Blairtoun, ... iiii^{m} ii^{c} merkis.

Summa, iiii^{m} ii^{c} merkis.

Quhairof thair is to be defaisit that the said Mr. William is restand to Mr. George Gardyn, minister at Clatt, and [ ] Gordoun, his spous, ... vii^{c} l merkis.

Summa, vii^{c} l merkis.

Summa, frie moneyes, iii^{m} iii^{c} l merkis.

James Duff of Robiestoun declarit that he haid restand to him be George Merques of Huntlie, upon the wodset of the landis wnderwrittin, the soumes of money following, viz.: Upon the landis of Robbiestoun, ... ii^{m} merkis.

Upon the landis of Carny, ... v^{m} merkis.

Upon the landis of Baid, ... i^{m} ii^{c} l merkis.

Summa, viii^{m} ii^{c} l merkis.

Quhairof thair is to be defaisit that the said James is restand to Kathren Gordoun, daughter to George Gordoun of Auchinhandack, ... v^{c} merkis.

Summa, v^{c} merkis.

Summa, frie moneyis, vii^{m} vii^{c} l merkis.

Johne Leyth of Bucharne declarit that he haid restand to him be George Merques of Huntlie, upon the wodset of the landis of Buquharne, ... iii^{m} merkis.
Be the said nobill Merques, upon the landis of Corschallache, vi^{c} merkis.
Be James Gordoun of Lesmoir, upon the landis of Tonburne, iii^{m} merkis.
Summa, vi^{m} vi^{c} merkis.
Quhairof thair is to be defaisit that the said Johne is restand to George Norie, his servitour, ... ii^{c} merkis.
To [ ] Kellies, in Balquharne, ... i^{c} l merkis.
To Mariore Middeltoun, in Carnequholp, ... ii^{c} merkis.
Summa, v^{m} l merkis.
Summa, frie moneyes, vi^{c} l merkis.

Mr. Alexander Leyth, portioner of Auchnagarthill, daclarit that he haid restand to him be Johne Forbes of Leslie, upon the wodset of the half landis of Auchnagathill, . . . i^{m} merkis.
Summa, frie moneyes, i^{m} merkis.

Robert Irving of Fedderet declarit that he haid restand to him be William Erle of Errel, upon the wodset of the landis and barronie of Essilmont, ... xxxiii^{m} merkis.
Quhairof thair belongis justlie to Mr. Alexander Irwing of Hiltoun fyftein thowsand merkis, and auchtein thowsand to himself, quhilk fyftein thowsand merkis is givin be the said Mr. Alexander to the toun of Abirdein.
Summa, frie moneyes, xviii^{m} merkis.

Mr. Androw Logy, persone of Rayne, declarit that he haid restand to him be George Gordoun of Newtoun, upon the landis of New Rayn and Barrall Dykis, ... ii^{m} ii^{c} merkis.
Summa, frie moneyis, ii^{m} ii^{c} merkis.

Mr. Williame Strauquhan, persone of Dauiot, declarit that he haid restand to him be Johne Leyth of Harthill, upon the wodset of the landis of Lowesk, ... viii^{m} vi^{c} merkis.
Summa, frie moneyis, viii^{m} vi^{c} merkis.

George Andersone, sone lauchfull to Mr. Patrik Andersone of Mylntoun, for himself and in name of his said father, and declarit that they haid restand to them be Patrik Leyth of Quythauch, upon the wodset of the landis of Courtestoun, Drumgowan, Johnstoun, ... xv^{m} merkis.

Be Merques of Huntlie, upon the landis of Mylntoun, . v^{m} merkis.

Summa, xx^{m} merkis.

Quhairof thair is to be defaisit that the saidis Mr. Patrik and George ar restand to Patrik Forbes, at the myln of Meany, i^{m} merkis.

To James Smyth, at the myln of Rothie, ... i^{m} merkis.

To William Laying, in Barflet, ... i^{m} merkis.

To Johne Kar, in Graysteane, ... v^{c} merkis.

To Johne Leyth, in Newlandis, ... v^{c} merkis.

Summa, iiii^{m} merkis.

Summa, frie monies, xvi^{m} merkis.

Bessie Duncan, relict of umquhill George Gordoun of Coclarachie, declarit be Doctor William Gordoun, doctor of medicine, hir sone, that schoe hes hir lyfrent of the third pairt landis of Coclarachie, wedset of the Merques of Huntlie, for the soume of . . . . . vi^{m} merkis.

Summa, vi^{m} merkis.

Quhairof thair is to be defaisit that the said Bessie is restand to Mariorie Duncan, hir sister, the yeirlie annuelrent of . ii^{m} merkis.

With the quhilk yeirlie annuelrent the wodset is grantit, and no uther wayes.

And that schoe is restand to Alexander, Mr. Hew, and Williame Gordones, hir childrein, Mr. Robert Bisset of Lesindrum, George Gordoun of Raynie, and William Seatoun of Hadow, equallie amongst them, ... vi^{c} merkis.

To George Gordoun of Coclarachie, ... v^{c} merkis.

Summa, iii^{m} i^{c} merkis.

Summa, frie moneyis, ii^{m} ix^{c} merkis.

James Andersone of Dunnbenan declarit be the said Doctor William Gordoun, his procuratour, that he haid restand to him be

Sir Robert Innes of Balvenie, upon the wodset of the landis of Argathen, ... vi^{m} merkis.

Summa, frie monyes, vi^{m} merkis.

Robert Gordoun of Cowdrayne declarit that he haid restand to him be ane noble and potent merques, George Merques of Huntlie, upon the wodset of the landis of Cowdrayne, . . iii^{m} merkis.

Be the said noble merques, upon the Haltoun, Drumbulge, and milne of Colluthie, ... iiii^{m} merkis.

Summa, vii^{m} merkis.

Quhairof thair is to be defaisit that the said Robert is restand to

Helen Forbes Lady Barnes, ... iiii^{c} merkis.
To Alexander Andersone, in Dumbenan, . . . iiii^{c} merkis.
To Johne Hendrie, in Quhyt Lumes, ... v^{c} merkis.
To Adame Fower, in Mylntoun, ... v^{c} merkis.
To Adame Barclay, in Strabogie, ... iii^{c} merkis.
To Johne Oglive of Mylntoun, ... iiii^{c} merkis.
To Mr. James Leyth, in Gartlie, ... vi^{c} merkis.
To William Gordoun, in Dummeath, ... v^{c} merkis.
To Androw Cattache, in Artleache, ... iiii^{c} merkis.
To Androw Norie, in Tillieminnet, ... v^{c} merkis.

Summa, iiii^{m} v^{c} merkis.

Summa, frie moneyes, ii^{m} v^{c} merkis.

Adame Gordoun, in Walheidis, be the said Robert Gordoun of Cowdrayne, his procuratour, declarit that he haid restand to him be the Merques of Huntlie, upon the wodset of the landis of Walheidis, ... i^{m} vi^{c} l merkis.

Summa, i^{m} vi^{c} l merkis.

Quhairof thair is to be defaisit that the said Adame is restand to

Alexander Hendrie, in Mytis, ... viii^{c} lxxx merkis.
To Adame Ferror, in Mylntoun, ... v^{c} merkis.
To Androw Cattache, in Artlache, ... i^{c} merkis.
To William Deasone, in Artlache, ... xx merkis.

Summa, i^{m} vc^{c} merkis.

Summa, frie moneyes, i^{c} l merkis.

Alexander Dauidsone, sumtyme servitor to the Erll of Erroll, declarit be Walter Robertsone, merchant, burges of Abirdein, his procuratour, that he haid restand to him be Sir Robert Innes of that Ilk, knicht, ... iii^{m} merkis.
Quhilk wes onlie givin out at Mertimes last.
Summa, frie moneyes, iii^{m} merkis.

John Forbes, in Auld Abirdein, declarit that he haid restand to him be Alexander Gardyn, sumtyme of Banchorie, upon the wodset of ane neittis fisching on the water of Done, . ii^{m} merkis.
Be Robert Irwing of Fedderet, ... iiii^{m} merkis.
Be Alexander Banerman of Elisek, ... iiii^{m} merkis.
Be Robert Fergusone, burges of Abirdein, . . . ii^{m} merkis.
Summa, xii^{m} merkis.
Quhairof thair is to be defaisit that the said John is restand to William bischop of Edinburgh, . . . , . i^{m} merkis.
Summa, i^{m} merkis.
Summa, frie moneyes, xi^{m} merkis.

Alexander Tronp of Migstrath declarit that he haid restand to him be Sir Alexander Gordoun of Cluny, knicht, upon the wodset of the landis of Migstrath with the pertinentis, . . iiii^{m} merkis.
Summa, iiii^{m} merkis.
Quhairof thair is to be defaisit that the said Alexander is restand to Johne Burnet of Lichtvood, his bairnes, . . . i^{m} merkis.
Summa, i^{m} merkis.
Summa, frie moneyes, iii^{m} merkis.

Alexander Andersone, in Standinsteanes, declarit that he haid restand to him be Sir Alexander Gordoun of Clunny, knicht, upon the wodset of the landis of Knowis of Durno, v^{m} v^{c} merkis.
Be Sir George Johnstoun of that Ilk, knickt, upon the wodset of the landis of Standinsteanes, ... vi^{m} merkis.
Summa, xi^{m} v^{c} merkis.
Quhairof thair is to be defaisit that the said Alexander is restand to Androw Howisone, burges of Abirdein, . . . iiii^{c} merkis

To William Orem, in Dullab, ... iic merkis.
To Mr. William Leyth, sone to William Leyth, in Drumgowan, vc merkis.
To Alexander Syme, at the myln of Fintray, . . . vc merkis.
To Alexander Leyth, in Drumgowan, ... iiiic merkis.
Summa, iim merkis.
Summa, frie moneyes, ixm vc merkis.

Mr. George Andersone, student in divinitie, for himself, and in name of James Ramsay, in Fraserburgh, declarit that thair wes restand to them be Walter Oglive of Boyne, upon the landis of Aird, and third pairt of Auchmoir, . . . iim iic merkis.
Summa, frie moneyis, iim iic merkis.

James Gordoun of Dauach, be James Gordoun, in Torriesoull, his sone, declarit that thair was restand to the said James be George Merques of Huntlie, upon the landis of Davach, tua oxin geat of Nether Auchindroyne, ... iiiic merkis.
Summa, iiiic merkis.
Quhairof thair is to be defaisit that the said James is restand to Thomas Skiner, in Bordalseat, ... iiic merkis.
Summa, iiic merkis.
Summa, frie moneyes, ic merkis.

Alexander Chalmer, in Uttenstoun, declarit that thair wes restand to him be George Merques of Huntlie, upon the wodset of the landis of Colonache, ... im iic merkis.
Be Thomas Frasser of Streichin, upon the landis of Estertyrie, ... iim iiiic merkis.
Summa, iiim vic merkis.
Quhairof thair is to be defaisit that the said Alexander is restand to Mr. George and Mr. William Chalmeris, his brethrein, equallie betuixt them . . . . . ixc l merkis.
To Alexander Frasser of Memsie, ... vic merkis.
To Thomas Frasser, in Drumduuan, ... iic merkis.
To Adame Duff, in Drummuir, ... ic merkis.
To George Leslie, in Glanderstoun . . . . iic merkis.

To George Chalmer, in Carnequhing, ... viii^{c} merkis.
Summa, ii^{m} viii^{c} l merkis.
Summa, frie moneyes, vii^{c} l merkis

John Gordoun, portioner of Affeleck, declarit be Alexander Chalmer, in Uttenstoun, that he haid restand to him be George Merques of Huntlie, upon the wodset of four oxin geat of the landis of Affleck, ... i^{m} merkis.
Summa, i^{m} merkis.
Quhairof thair is to be defaisit the said Johne is restand to Johne Charles, in Gibstoun, ... i^{c} merkis.
Summa, i^{c} merkis.
Summa frie moneyes, ix^{c} merkis.

Mr. Androw Skein, in Ouertoun of Dyce, declarit that he haid restand to him be Sir George Gordoun of that Ilk, upon the wodset of the landis of Ouertoun, ... iii^{m} merkis.
Be Alexander Skein of that Ilk, upon the Newtoun of Skein, i^{m} merkis.
Summa, iii^{m} merkis.
Quhairof thair is to be defaisit that the said Mr. Androw is restand to the hospitall of Aberdein, ... iii^{c} merkis.
Summa, iii^{c} merkis.
Summa, frie moneyes, iii^{m} vii^{c} merkis.

Mr. William Wadderburne, minister at Balthelnie, declarit that he haid restand to him be Alexander Frasser of Techmurie, upon the landis of Parock of Deir, . . . i^{m} vii^{c} merkis.
Summa, i^{m} vii^{c} merkis.

Robert Gardyn of Tillifroskie declarit that he haid restand to him be Sir Alexander Gordoun of Cluny, knicht, upon the wodset of the landis of Kirktoun of Birss, Balfour, with the pertinentis, ... xv^{m} merkis.
Summa, xv^{m} merkis.
Quhairof thair is to be defaisit that the said Robert is restand to George Rickart, burges of Abirdein, ... i^{m} merkis.

To Janet Forbes, relict of umquhill Robert Keillo, burges of the said burgh, ... i^{m} merkis.
To William Troup of Balnacraig, ... viii^{c} merkis.
To Walter Ros of Dilsack, ... ii^{c} merkis.
To William Steilhous, in Straquhan, ... ii^{c} merkis.
To William Malcolm, in Glenesk, ... ii^{c} merkis.
To Alexander Straquhan, in Torquhyndlachie, . . i^{c} merkis.
Summa, iii^{m} v^{c} merkis.
Summa, frie moneyes, xi^{m} v^{c} merkis.

Robert Meldrum, at the myln of Rothie, declarit that he haid restand to him be George and William Gordones of Terpersie, upon the wodset of the myln of Rothie. . . . i^{m} vi^{c} merkis.
Summa, frie moneyes, i^{m} vi^{c} merkis.

Williame Dune, in Clubisgowill, declarit that he haid restand to him be George Merques of Huntlie, upon the wodset of the landis of Clubisgowll, ... iiii^{m} v^{c} merkis.
Summa, frie moneyes, iiii^{m} v^{c} merkis.

Mr. William Reid, minister at Garthlie, be Johne Spens, Rothsay herald, his procurator, declarit that he haid restand to him be ane noble lord, James Lord Deskford, upon the wodset of the landis of Forrest of Boyne, ... v^{m} vi^{c} merkis.
Summa frie moneyes, v^{m} vi^{c} merkis.

Robert Chein, in Arieburne, declarit that he haid restand to him be Johne Leslies, younger and elder of Petcappell, upon the wodset of the croftis of Fintray and Kinmuck, . . ii^{m} merkis.
Summa, frie moneyes, ii^{m} merkis.

Johne Ramsay, in Frasserburgh, declarit that he haid restand to him be Alexander Frasser, younger of Philorth, upon the wodset of the landis of the Wyndmiln, ... v^{c} merkis.
Be Alexander Fraser of Newforrest, upon the landis of Claystyles, ... i^{m} merkis.
Summa, frie moneyes, i^{m} v^{c} merkis.

Johne Findlay, in Badichell, declarit that he haid restand to him be James Frasser of Tyrie, upon the wodset of the landis of Badichell and Carnemwir, ... iii^{m} merkis.
Be Alexander Frasser of Phirloth, younger, upon the landis of Midelburgh, &c., ... iii^{m} merkis.
Be the said Alexander, upon the landis of Kinbog, . . ii^{m} merkis.
Summa, viii^{m} merkis.
Quhairof thair is to be defaisit that the said Johne is restand to John Findlater, in Rosaertie, ... vi^{c} l merkis.
To James Richie, thair, ... i^{c} merkis.
To Androw Pattersone, in Frasserburgh, . . . l merkis.
Summa, vii^{c} merkis.
Summa, frie moneyes, vii^{m} iii^{c} merkis.

Johne Irwing of Artamphart declarit that thair was restand to him be William Seatoun of Meldrum, upon the wodset of the landis of Kilblaine, Balbithin, and Ardfork, . . . xxiiii^{m} merkis.
Summa, frie moneyes, xxiiii^{m} merkis.

George Gariouch of Little Endowie declarit, be Adame Gordoun, burges of Abirdein, his procuratour, that he haid restand to him be William Gordoun of Brachlie, upon the wodset of the landis of Schividlie, ... vi^{m} iii^{c} merkis.
Summa, frie moneyis, vi^{m} iii^{c} merkis.

James Forbes, in Kinnellar, declarit that he haid restand to him be William Erle Merchell, upon the wodset of the landis of Kinnellar, ... i^{m} viii^{c} merkis.
Summa, frie moneyes, i^{m} viii^{c} merkis.

Johne Coupland, at the new myln of Auchterles, declarit be William Cordiner, burges of Aberdein, his procuratour, that he haid restand to him upon the myln of Udochie, and landis of Buchannachie, ... iii^{m} merkis.
Be George Meldrum of Haltoun, upon the new myln of Auchterles, and mylnlandis thairof . . . . . ii^{m} ii^{c} merkis.
Summa, v^{m} ii^{c} merkis.

Quhairof thair is to be defaisit that the said Johne is restand to Alexander Gordoun, at the myln of Udouch, . . iic merkis.
To William Duncan, burges of Abirdein, . . . ic merkis.
To Edvart Chessour, in Goullie, ... ic merkis.
To William Urquhart, in Castletoun, ... vic merkis.
To William Chapman, in Carlencraig, ... iic merkis.
Summa, im iic merkis.
Summa, frie moneyes, iiiim merkis.

Alexander Leslie, brother-german to Johne Leslie of Balquhyn, declarit that he haid restand to him, be the said Johne Leslie, upon the landis of Tullois, ... im merkis.
Summa, frie moneyes, im merkis.

Mr. James Herwie, minister at the new kirk of Sanct Machar, declarit that he haid restand to him be Sir William Forbes of Cragivar, knicht baronet, upon the wodset of Newlandis, in Fintray, ... im vic merkis.
Summa, im vic merkis.
Quhairof thair is to be defaisit that the said Mr. James is restand to Mr. Daniel Lindsay, ... iiic merkis.
To Gilbert Herwie, burges of Abirdein, . . . iic merkis.
To Mr. Alexander Irwing, persone of Forbes, . . . ic merkis.
Summa, vic merkis.
Summa, frie moneyes, im merkis.

Arthour Ros of Sterein declarit, be Mr. Johne Ros, parsone of Birss, that thair wes restand to him be Alexander Gordoun of Abergeldie, upon the landis of Steren, . . . im merkis
Be [ ] Gordoun of Brasmoir, upon the landis of Brasmoir, ... iiim vc merkis.
Be Sir Alexander Gordoun of Cluny, upon the landis of Brasbeig, ... iim viiic merkis.
Summa, frie moneyes, viim iiic merkis.

John Gardyn of Bellamoir declarit that he haid restand to him be George Merques of Huntlie, upon the landis of Bellamoir, im vc merkis.

Be Sir Alexander Gordoun of Cluny, upon the landis of Drumdache, ... iiii^{m} iii^{c} merkis.

Summa, v^{m} viii^{c} merkis.

Quhairof thair is to be defaisit the said Johne is restand to Patrick Grant, in Keppoche, ... i^{m} merkis.
To Dauid Farquharsone, in Balnacraig, ... v^{c} merkis.
To Alexander Gardyn in Inchmarno, ... v^{c} merkis.
To Charles Fyff, at the new myln of Drumneachie, . . iiii^{c} merkis.
To Arthour Ros of Steren, ... i^{c} merkis.

Summa, ii^{m} v^{c} merkis.

Summa, frie moneyes, iii^{m} iii^{c} merkis.

Robert Farquharsone of Finzean declarit that thair was restand to him upon the wodset of the myln of Clinter, be Sir Alexandar Gordoun of Cluny, knicht, ... v^{m} iiii^{c} merkis.
For the quhilk he sould haue but aucht merkis for the hundreth.

Summa, frie moneyes, for quhilk taxatioun is payable, nihil.

James Farquharsone of Inuerrey declarit, be the said Robert Farquharsone, his procuratour, that thair wes restand to the said James be Johne Leslie of Wardes, upone the wodset of the landis of Wardes, ... x^{m} merkis.
Quhairof he sould haue but aucht for the hundreth givin out befoir the act of Parliament.

Summa, frie moneyes, nihil.

Johne Farquharsone of Tilliecarne declarit that thair wes restand to him be George Merques of Huntlie, upon the wodset of the landis of Tilliecarne, ... ii^{m} v^{c} merkis.

Summa, ii^{m} v^{c} merkis.

Quhairof thair is to be defaisit that the said Johne is restand to Johne Smyth, in Ballastroyne, ... ii^{m} merkis.
To Mr. William Dowglas, minister at Aboyne, . . ii^{c} merkis.
To William Steilhous, in Straquhan, ... i^{c} merkis.
To the bairnes of umquhill Alaster Schaw, in Tulliche, . i^{c} l merkis.
To Duncan Calder, in Cull, ... i^{c} merkis.

Summa, ii^{m} v^{c} l merkis.

Summa, frie moneyes, nihil.

Walter Ros of Delsack, be Robert Farquharsone of Finzean, his procuratour, declarit that he haid restand to him be Sir Alexander Gordoun of Cluny, knicht, upon the wodset of the landis of Delsack, ... ii^{m} vii^{c} merkis.
Givin out befoir the act of parliament, for the quhilk he sould receaue onlie aucht for the hundreth.

Summa, frie moneyes, nihil.

Johne Farquharsone of Invercald, be Robert Farquharsone appeirand thairof, his sone, declarit that thair wes restand to him be George Merques of Huntlie, upon the wodset of the landis of Abirgarne, ... xii^{m} merkis.
Givin out befoir Witsonday last, for quhilk thair is only aucht dew for ilk hundreth.

Summa, frie moneyes, nihil.

Williame Watsone, at the myln of Tollie, declarit that he haid restand to him be the lairdis of Blackfuird, elder and younger, i^{m} merkis.
Be George Rait, in Folla, ... iiii^{c} merkis.
Be Alexander Hay, in Coriedowne, ... i^{c} merkis.
Be George Gordoun, younger of Gicht, ... i^{c} merkis.
And that he haid restand to him, upon the wodset of the landis of Darley, redemable, be George Gordoun of Terpersie, . iiii^{m} merkis.

Summa, v^{m} vi^{c} merkis.

Patrik Wod, in Litill Ardo, declarit that he haid restand to him be George Gordoun of Gicht, upon the landis of Chapiltoun of Schives, ... iiii^{m} merkis.

Summa, frie moneyes, iiii^{m} merkis.

Quhairof thair is to be defaisit that the said Patrik is restand to
Dauid Wilsone, in Carnenorie, ... iii^{c} merkis.
To Alexander Andersone, in Monletie, ... v^{c} merkis.
To Thomas Wodman, his servitor, ... i^{c} merkis.
To Johne Barclay, in Boghous of Tarves, . . . iii^{c} merkis.
To William Wilsone, in Auchinerive, ... i^{c} l merkis.
To the bairnes of umquhill Patrik Gordoun of Nethermuir, v^{c} merkis.

Summa, i^{m} viii^{c} l merkis.

Summa, frie moneyes, ii^{m} i^{c} l merkis.

William Troup of Belnacraig declarit that he haid restand to him be Robert Gardyn of Tillifroskie, ... viiic merkis.
Be James Gordoun of Balmorell, ... vc merkis.
Be Johne Burnet, in Craigour, ... ic merkis.
Summa, im iiiic merkis.
Quhairof thair is to be defaisit that the said William restis to Robert Fraser, in Inschebair, ... viic merkis.
To Androw Malcome, in Birsbeg, ... viic merkis.
To Androw Coban, in Muirtoun of Cors, . . . iic xx merkis.
To William Og, in Knapauch, ... iiic merkis.
Summa, im viiic xx merkis.
Summa, frie moneyes, nihil.

John Udnie of Balhelvies declarit that he haid restand to him be ane noble erle, John Erle of Kinghorne, upon the wodset of the barronie of Balhelvies, ... lxxiiiim merkis.
Item, upon the wodset of the samen landis and baronie, for quhilk thair is onlie nyn payable for ilk hundreth, conforme to the contract maid thairanent, ... xxvim merkis.
Item, be William Erle Merchell, upon the landis of Ravinscraig and Tortourstoun, ... xxm merkis.
Summa, ic xxm merkis.
Quhairof thair is to be defaisit that the said Johne Udnie is restand to Johne Lord Sincklar, by and attour the threttie thowsand and aucht hundreth merkis, givin up in his former inventar, xxxim iic merkis.
To William Gray, burges of Edinburgh, ... xm merkis.
To Patrik Fergusone, burges of Abirdein, . . . iim merkis.
Summa, xliiim iic merkis.
Summa, frie moneyes, lxxvim viiic merkis.

Grissell Paip, relict of umquhill Dauid Straquhan, in Affleck, declarit be Mr. Alexander Seatoun, minister at Banf, hir sone and procuratour, that schoe haid restand to hir be Alexander Seatoun of Petmedden, ... im merkis.
Be Mr. James Buchane of Auchmacoy, ... im merkis.
Be the said Mr. Alexander Seatoun, ... iic merkis.

Be Patrik Cowper and William Symsone, in Tilliemad, ... i^{c} l merkis.
Be Alexander Symsone, in Affleet, ... ii^{c} merkis.
All givin out be hir befoir Witsonday last for aucht of the hundreth.
Summa, frie moneyes, nihil.

Alexander Andersone, in Monlettie, declarit that thair wes restand to him be umquhill Johne Urquhart of Latheris, ... ii^{m} merkis.
Be Alexander Forbes of Boyndlie, ... i^{m} merkis.
Be William Gordoun, at the Brig of Done, ... v^{c} merkis.
Be Patrik Wod, in Littil Ardo, ... v^{c} merkis.
Summa, iiii^{m} merkis.
Quhairof thair is to be defaisit that the said Alexander is restand to Sir William Keyth of Ludquharne, ... iiii^{c} l merkis.
To Johne Wilsone, in Auchmenzie, ... iii^{c} merkis.
To James Shiref, in Colhey, ... i^{c} merkis.
To Robert Forbes, in Auldtoun, ... i^{c} merkis.
To Dauid Wilsone, in Carnenorie, ... i^{c} l merkis.
Summa, i^{m} i^{c} merkis.
Summa, frie monies, ii^{m} ix^{c} merkis.

Alexander Forbes of Auchintowll declarit that thair wes restand to him be Alexander Mr. of Forbes, upon the wodset of the landis of Castilhill and Boigsyd, ... vi^{m} merkis.
Summa, vi^{m} merkis.
And declarit that he receauit and haid theis moneyes, givin him be his father, Hendrie Forbes, and Jhone Mortimer, sumtyme of Cragivar, for the quhilk he is obleist to them in the annuelrent of . . . . . vii^{m} merkis.
Viz., thairof fyve hundreth merkis to his father, and tua hundreth to the said Johne Mortimer, during thair lyftymes.
Summa, vii^{m} merkis.
Summa, frie moneyes, nihil.

Robert Reid, at the myln of Warthill, declarit that he haid restand to him be the airis of umquhill Johne Elphinstoun of Warthill, ... i^{m} vii^{c} merkis.

Be my Lord of Mar, upon the landis of Auchmillen, . . i^m v^c merkis.
For the quhilk he sould haue onlie aucht for ilk hundreth thairof.
Summa, iii^m ii^c merkis.
Quhairof thair is to be defaisit that the said Robert is restand to
William Crystie, in Warthill, ... ii^c merkis.
To Margaret Reid, his sister, ... i^c merkis.
Summa, iii^c merkis.
Summa, frie moneyes, i^m iiii^c merkis.

Mr. Androw Ker, minister at Glenbucket, declarit that thair wes restand to him be Johne Gordoun of Park, upon the wodset of the Kirktoun of Glenbucket, for the quhilk he sould receave onlie aucht for ilk hundreth thairof, ... i^m vi^c merkis.
Summa, frie moneyes, nihil.

Mr. William Dogles, minister at Aboyn, declarit that he haid restand to him be the aris and executouris of umquhill Johne Vicount of Melgome, ... v^c l merkis.
Be Sir William Dowglas of Glenberuie, and Johne Dowgles, his brother, ... iii^c merkis.
Be Gilbert Gardyn, appeirand of Tillifroskie. . . ii^c merkis.
Summa, frie moneyes, i^m l merkis.

Mr. Thomas Rires, minister at Lonmey, declarit that thair wes restand to him be Johne Hay of Crimondmogat, upon the aucht oxin geat of Crimondmogat, ... i^m v^c merkis.
Be the said Johne, upon the landis of Ratray and Bilbo, . ii^m merkis.
Be Johne Rires, upon his pairt of the landis of Ratray and Bilbo, ... viii^c merkis.
Be Alexander Frasser of Newforrest, upone the landis of Claystyles, ... v^c merkis.
Summa, frie moneyes, iiii^m viii^c merkis.

James Shirref, in Dubstoun, declarit that thair wes restand to him be Alexander Mr. of Forbes, upon the landis of Dubstoun, i^m ii^c merkis.
Summa, frie moneyes, i^m ii^c merkis.

Williame Gerel, in Littilbyth, declarit that thair wes restand to him, befoir the terme of Mertimes last, be Williame Barclay, tutor of Towie, ... i^{m} merkis.
Be Alexander Mr. of Forbes, ... i^{m} v^{c} merkis.
Be George Gordoun of Nethermuir, ... vii^{c} merkis.
Summa, iii^{m} ii^{c} merkis.
Quhairof thair is to be defaisit that the said William is restand to Edvart Chessor, in Gullies, ... i^{c} l merkis.
To Margaret Hendersone, in Littilbyth, . . . iii^{c} merkis.
Summa, iiii^{c} l merkis.
Summa, frie moneyes, iii^{m} vii^{c} l merkis.
Quhilkis soumes he led out on wodset at Mertimes last.

Alexander Lyon of Mursk declarit, be Johne Lyon, his sone, and procuratour, that thair was restand to the said Alexander be umquhill Francis Hay, brother to the Erle of Erroll, upon the wodset of the myln of Turref, Knokie Myln, . vi^{m} v^{c} merkis.
Be Mr. James Gordoun of Lesmoir, upon the landis of Praties-toun, &c., ... viii^{m} merkis.
Summa, frie moneyes, xiii^{m} v^{c} merkis.

Patrik Straquhan, in Kinaldie, declarit that thair wes restand to him, upon the wodset of the landis of Chrichie, . . ii^{m} merkis.
Be Robert Seatoun of Mines, ... i^{m} merkis.
Be James Oglive of Auchlewchries, ... ii^{c} merkis.
Be Alexander Hay, in Ernehill, ... iii^{c} merkis.
Be William Gray, in Westertoun, ... ii^{c} merkis.
Summa, iii^{m} vii^{c} merkis.
Quhairof thair is to be defaisit that the said Patrik is restand to Edvart Chessor in Gullie, ... i^{m} merkis.
To Mr. James Straquhan, minister at Colstein, . . v^{c} merkis.
To William Forbes of Pettelachie, ... i^{m} v^{c} merkis.
Summa, iii^{m} merkis.
Summa, frie moneyes, vii^{c} merkis.

Thomas Meingzeis of Balgownie, burges of Abirdein, declarit that

befoir the terme of mertimes last, and at the said time, he gave up and peyed taxatioun of the tuentie pennie, as burges and inhabitant within the said burgh of Abirdein, to the provest and bailyeis thairof, and that he hes peyit to them for the haill termes of the said taxatioun, grantit in anno 1630 yeiris, bot now being of intention to remove himself out of the countray, and that such moneyes as he hes ar restand to him without the burgh, and within the sherifdome; thairfor he hes givin up his inventar for the taxatioun of tua merkis of ilk ten in the shiref buiks, as followis, viz.:

Be umquhill Frances Erll of Erroll, ... xiii^{m} merkis.
Be umquhill Frances Hay of Tartie, upon the wodset of the landis of Turref, quhairof he quytis the rentis to his Majestie, i^{m} vi^{c} merkis.

Summa, frie moneyes, xiii^{m} merkis.

Alexander Mengzies, brother-german to the said Thomas, burges of Abirdein, declarit that befoir this tyme he peyit as the said Thomas his brother did, but now for the caus abovewrittin, gave up as followis, viz.:

Be George Merques of Huntlie, ... viii^{m} merkis.
Be William Erle of Erroll, ... iiii^{m} merkis.
Be William Lang and his cautioneris, quhairof he quytis the profeit to his Majestie, ... ii^{m} merkis.

Summa, frie moneyes, xii^{m} merkis.

Duncan Andersone, in Candacraig, declarit, be Mr. Alexander Reid, advocate in Abirdein, his procuratour, that thair wes restand to the said Duncan, upon the wodset of the landis of Sinnalost, Drumalen, be my lord of Mar and my lord Elphinstoun, his author, for the quhilk he sould receaue aucht for ilk hundreth, ... v^{m} viii^{c} lxxxvii merkis vi s. viii d.

Summa, frie moneyes, nihil.

Mr. William Walace, minister at Pittercultер, declarit that thair wes restand to him, upoun the landis of Hiltoun of Kennertie, be William Gordoun of Kennertie, for the quhilk he receaues onlie aucht for ilk hundreth, ... i^{m} vi^{c} merkis.

Summa, frie moneyes, nihil.

Robert Lamb, in Bogis of Darley, declarit that Helen Pattersone, his spous, hes hir lyfrent right of the Bogis of Darley, wodset to hir be William Gordoun of Terpersie, for the soume of i^{m} iiii^{c} merkis.

Summa, frie moneyes, i^{m} iiii^{c} merkis.

Mr. Walter Andersone, minister at Kinellar, declarit that thair wes restand to him be Mr. Robert Farquhar, burges of Abirdein, ... iiii^{c} merkis.

Item, restand to Margaret, Bessie, Elizabeth, and Christane Andersones, his dochteris, be the said Mr. Robert, . . iiii^{c} merkis.

Be Mr. James Cruikschank of Tilliemorgan, . . ii^{c} merkis.

For the quhilk aucht hundreth merkis restand be the said Mr. Robert Farquhar thair is onlie nyn payable for ilk hundreth thairof.

Summa, i^{m} merkis.

Quhairof thair is to be defaisit that the said Mr. Walter is restand to Johne Abell, in Glasgowego, ... i^{c} merkis.

To William Abill thair, ... l merkis.

To William Ronaldson, in Carnetadlyn, ... l merkis.

To Alexander Smyth, in Badindauch, ... xxx merkis.

Summa, ii^{c} xxx merkis.

Summa, frie moneyes, vii^{c} lxx merkis.

Mr. William Burnet, minister at Kinernay, declarit that thair wes restand to him be Alexander Gordoun of Abirgeldie, upon the wodset of the landis of Badinluthe and Kinnerny, ix^{m} ii^{c} xxv merkis.

Summa, frie moneyes, ix^{m} ii^{c} xxv merkis.

Mr. Alexander Robertson, minister at Cluny, declarit that he haid restand to him be Sir Alexander Gordoun of Cluny, knicht, upon the wodset of the Kirkhill of Cluny, with the pertinentis, ii^{m} merkis.

Summa, frie moneyes, ii^{m} merkis.

Mr. Alexander Ferries, minister at Crathie, declarit that he haid restand to him be Johne Symer, in Brathinsche, . i^{m} merkis.

Be Thomas Skiner, citner in Brechin, ... vi^{c} merkis.

Be James Guthrie of Pitforthie, ... ii^{c} merkis.

Summa, i^{m} viii^{c} merkis.

Quhairof thair is to be defaisit that the said Mr. Alexander is restand to the airis of umquhill Mr. Johne M'Vorthie, in Lochclas, ... iiii^{c} merkis.
To Johne Mackandrew, in Micra, ... i^{c} merkis.
To Johne M'Gillizvie, ... i^{c} merkis.
To Johne Mackhardie, in Crathinaird, ... i^{c} lx merkis.
Summa, vii^{c} lx merkis.
Summa, frie moneyes, i^{m} xl merkis.

Mr. Thomas Mitchell, parsone of Turreff, declarit that thair wes restand to him be Johne Forbes of Gask, upone the wodset of the landis of the Maynes of Gask, ... v^{m} merkis.
Summa, v^{m} merkis.
Quhairof thair is to be defaisit that the said Mr. Thomas is restand to Thomas Stewart of Ryland, ... v^{c} merkis.
Summa, v^{c} merkis.
Summa, frie moneyes, iiii^{m} v^{c} merkis.

William Blackhall, portioner of Finnersie, declarit be James Blackhall, burges of Abirdein, that thair wes restand to him be Alexander Keyth of Balmuir, ... ii^{m} merkis.
Summa, frie moneyes, ii^{m} merkis.

Robert Innes, in Davidstoun, declarit be Patrik Fergusone, burges of Abirdein, his procuratour, that he haid restand to him be Sir Robert Innes of that Ilk, upone the wodset of the landis of Ormestoun, ... v^{m} merkis.
Summa, frie moneyes, v^{m} merkis.

The haill moneyes contenit in this book is 878,467 merkis; quhairof is—8 per cent., 62,837 merkis; at 9 per cent., 61,550 merkis; taxatione quhairof is 307 merkis 10s. At 10 per cent., 754,080 merkis; taxatione thairof, 7,540 merkis 10s. 8d. The haill taxatione is 7,848 merkis 6s.

MINUTES

OF THE

COMMITTEE FOR LOAN MONIES AND TAXATIONS

OF

THE SHIRE OF ABERDEEN.

1643.

MINUTES

OF THE

COMMITTEE FOR LOAN MONIES AND TAXATIONS

OF THE

SHIRE OF ABERDEEN.

Apud Abirdein, tertio Octobris, 1643.

The Committee appoynted be the estaitis for the taxatione and loane moneyes withiu the Shiretdome of Abirdein, to wit, the persones following: Sir Alexander Irving of Drum, knicht; Alexander Fraser of Philliorth; Johne Udny of that Ilk; Mr. William Davidsone of Carny; Mr. Robert Farquhar of Mwny; George Gordone of Coclarachie; Thomas Ersken of Balhagardie; Robert Farquharson of Invercauld; John Irwing of Beltie; James Hay of Murryfauld; Alexander Strauchane of Glenkindy.

Mr. Patrick Chalmer being chosen clerk, sworne and accepted, the persones of the committee present wer all sworne, as also theis quha wer new elected, and present, viz.:

The persones of the committee above sett doune elected the persones wnderwreitin to be adjoynit to ther number, conforme to the act and ordinance of estaitis giving powar to mak choyse of aucht persons, viz.: Arthour Forbes of Echt; Johne Forbes of Asloune; George Gordone of Knockaspack; Walter Forbes of Tolquhone; William Dalgarno of that Ilk; William Meldrum of Haltoun; Williame Setone, chamberlaine of Fyvie; Sir Thomas Crombey of Kemnay, knycht.

It is apoynted that theis persones commissioneris above sett doune be devydit in aucht divisiones, according to the aucht presbytries within the shyre, thrie for ilk presbytrie, viz., for the Presbitrie of Abirdein, Sir Alexander Irving of Drum, knycht, Sir Gilbert Meinzies of Pittoddellis, and Mr. William Davidsone of Carny. Abirdein.

Kincardyne. Robert Farquharson of Invercauld, Johne Irwing of Beltie, and Arthur Forbes of Echt.

Awfuird. Sir William Forbes of Cragywar, Alexander Strauchane of Glenkindie, Johne Forbes of Asloune.

Strathbogy. Sir Robert Gordone of Straloche, George Gordone of Coclarachie, and George Gordone of Knockaspack.

Gareoche. Thomas Ersken of Balhaggardie, Sir Thomas Crombey of Kemnay, and Mr. Robert Farquhar of Mwny.

Turreff. William Meldrum of Haltoune, William Dalgarno of that Ilk, and William Setoune, chamerlaine of Fyvie.

Ellone. Johne Udny of that Ilk, Walter Forbes of Tolquhone, James Hay of Murryfauld.

Deire. Alexander Fraser of Phillorth; Robert Irwing of Fedderet, and Johne Keyth of Glackriauche.

Act for Summondis. The said day the clerk wes ordanit by the said committee to direct out summondess, subscryvit be himselff, in name of the conveinare and remanent commissionars, chargeing all sic persones as the commissionars for ilk presbitrie sall think fitting, to compeir befoir the saids commissionars of the seuerall presbiteries of the shyre, whatsumeuer day or place the saidis commissionars sall think fitt, to give dew informatioun upon their aithes, of the just rentall of ilk heretour, liferent, coniunct fier, takisman, titular, proper wedsetter, lady tercer, and uthers, within ilk parochin of ilk presbitery, under the pain of fourtie pundis, and with certificatioun that the saidis commissionars, and uthers wha sall convein with thame, sall sett doune a perfect rentall upon these wha sall happin not to compeir.

The aithe appoynted to be sworne be all the commissioneris present, and quha sall heirefter be present and admitted.

I [ ] as commissioner nominat for the valuatione of ilk persones rent within the shyre of Abirdein, for this instant crop 1643 yeiris, doe sweare and promise befoir God and the commissionaris heir present, to doe uprichtlie and impartiallie, according to my best knowledge and informatione myselff of the just and trew worth of every persone or persones, thair present yeiris rent of this crope 1643, to landwart, alsweill of land and teindis as of any wther thing quhairby profit and commoditie aryseth.

23d December, 1643.

George Gordone of Knockaspack gave his aith.

Apud Abirdein, quarto die mensis Octobris, anno Domini millesimo sexcentessimo quadragesimo tertio.

Sederunt: The Laird of Drum; Laird of Phillorth; Johne Udny of that Ilk; Alexander Strauchane of Glenkindie; Walter Forbes of Tolquhon; George Gordoune of Coclarachie; James Hay of Muiryfauld; Mr. Robert Farquhar of Mwny; William Dalgarno of that Ilk; William Meldrum of Haltoune; Thomas Erskene of Pittodrie; Sir Thomas Cromby of Kemnay; Robert Farquharsone of Invercauld.

That ilk day delyverit to the persones eftir mentioned summondis for ilk presbitrie, viz.: To Alexander Fraser of Phillorth, for Deir; Walter Forbes of Tolquhone, for Ellone; Mr. William Davidsone of Carny, for Abirdein; William Meldrum of Haltoun, for Turreff; George Gordoun of Coclarachie, for Strathbogie; Alexander Strauchane of Glenkindie, for Awfuird; Johne Irwing of Beltie, for Kincardine; Thomas Ersken of Pittodrie, for Gareoche.

The samen day the haill commissioneris above wreittin, eftir ressoning and voting, concludit and ordanit (for the maist pairt) that all the victuall within ilk parochin within this shyre, for this present crope, i[m] vi[c] fourtie and thrie yeiris, sall be valued and estimat at one pryce, becaus eftir reasoneing, they fand no difference considerable; and findis and ordanis ilk boll meill and aittis within the shyre to be valuet at fyve merkis the boll for this instant crope, 1643, and ilk boll beir or malt within the said shyre, the said crope, to be valuet at four pundis thrie shillingis four pennyis the boll.

The said day, Sir Thomas Cromby of Kemnay, knyght, and Mr. William Davidsone of Carny, chosin and nominat to be convenaris, conjunctlie and seuerallie, quhill the nixt meiting.

The said day, Sir Gilbert Meinzies of Pitfoddellis, knycht, Arthure Forbes of Echt, Sir William Forbes of Cragywar, knycht, Johne Forbes of Asloune, Mr. Robert Gordone of Straloche, George Gordone of Knockaspack, William Setone, chamerlane of Fyvie, Robert Irwing of Fedderat, and Johne Keyth of Glackriauche, quha wer absent from this meiting, ordanit to be summondit and charget to compeir befoir the convenaris, to accept and give their aithes within [ ] eftir the charge, and that

they convein with the remanent commissioneris of thair presbitrie at the presbiteriall kirk upone the tuelt day of October instant.

The said day it was inacted and ordanit be the committee present, that the ministeris of ilk presbitrie intimat to the parochineris of ilk parochin, to convein at sick dayis and placis as sall be appoynted be the commissioneris of ilk presbytrie, for valuatione of thair rentis; and that the saidis ministeris bring in to the saidis commissioneris the saidis dayes, ane perfyt roll and note of the heretores, lyverentaris, and utheris, with the just rentall of ilk persone within thair parochines, with certificatione to the saidis heretores, lyverentaris, and wtheris, that if they failzie and compeir not, the commissioneris sall proceid and sett doune the rentallis and valuationes, according to the warrant and act of estaitis granted for that effect; and if the saidis ministeris, or ather of thaim, failzie, they sall be complenit upone to the estait, as being avers from the weill of the publick.

Tandem the said day Robert Irving of Fedderat and Arthure Forbes of Echt comperit and acceptit the office of commissioneris upone thame, and gave thair aithes, conforme to ordour, as also the act anent the meitting of the seuerall commissioneris of presbitries to be keipit the tuelth day of October instant wes intimat to thaim instantlie.

Apud Abirdein, vigesimo tertio die mensis Novembris, anno Domini millesimo sexcentesimo quadragesimo tertio.

Sederunt: Sir Alexander Irving of Drum, knicht; Alexander Fraser of Phillorth; Thomas Erskene of Pittodrie; Arthure Forbes of Echt; Sir Thomas Cromby of Kemnay, knicht; Johne Udny of that Ilk; Johne Forbes of Asloune; Mr. William Davidsone of Carny; Mr. Robert Farquhar of Mouny; Johne Keyth of Glackrianche; William Dalgarno of that Ilk; William Meldrum of Haltoun; Johne Irving of Beltie; Alexander Strauchane of Glenkindy.

It is appoynted be consent of the haill commissioneris present, that all custoumes, grassoumes, service silver, and all uther commodities quhairby profitt aryseth, sall be given up as rent for this instant crope, 1643 yeiris (except fether foullis), alsweill as other victuall and silver rent.

The haill commissioneris, except Mr. Robert Farquhar, appoynted the tuentie day of December nixt, to meitt in Abirdein, and to stay thair till

they give in perfyct and subscryve the haill rentallis of ilk parochin within the shyre, including customes and all wther casualities, except fether foullis.

Apud Abirdein, vigesimo tertio die mensis Decembris, 1643.

Sederunt: Mr. William Dauidsone, convenar; the lairdis of Tolquhone, Pittodrie, Fedderet, Echt, Udny, Beltie, Mowny, Garnestoun, Muriftauld, Knockaspack.

The committe appoynted thair nixt meitting to be the fourt of Januar nixt, and evry absent to pey for thair absence that day and in tyme cumming, *toties quoties*, fiftie pundis evry ane quha compeiris not, or sall happin to compeir and go away befoir the meitting dissolve with full consent, and without licience obteinit; the saidis fynes to be peyit to Mr. Robert Farquhar, collector appoynted to the committe

6 Januarii, 1644.

Sederunt: Thomas Ersken of Balhaggardie; Johne Udny of that Ilk; Robert Farquharsone of Invercald; Johne Irving of Beltie; George Gordoun of Coclarachie; Johne Forbes of Asloune; James Hay of Mwiryfauld; Mr. Robert Farquhar of Mwny; George Gordoun of Knockaspack.

The quhilk day Johne Udny of that Ilk wes elected, nominat, and chosin preses of this present meiting, with power to him to subscryve and approve the rentallis of ilk presbitrie that sall be presentit and givin in befoir the said committe, and quhilk they declair to be als valid as if the saidis rentallis wer subscryvit be the haill persones of the said committe.

Mr. Robert Farquhar of Mwny, for himselff, and in name of Sir Thomas Crombie of Kemnay, knycht, and Thomas Ersken of Pittodrie, valuatoris for the Presbitrie of Garioche; and als George Gordoune of Coclarachie, and George Gordoune of Knockaspack, for themselffis, and in name of Mr. Robert Gordoun of Straloche, valuatoris of the Presbitrie of Strathbogie; and sicklyk, Johne Irving of Beltie, and Robert Farquharsone of Invercauld, for themselffis, and in name of Arthure Forbes of Echt, valuatoris of the Presbitrie of Kincardine, protestit that no horning pas against them for thair valuationes, in respect they have done their lauchfull diligence, and givin the valuationes of their seuerall

presbitries, subscryvit with thair handis, and allowit and approvin be the said committe.

x and xi Januarii, 1643.

Sederunt: Thomas Erskene of Balhagardie; Johne Udny of that Ilk; Mr. Robert Farquhar of Mowny; Johne Irving of Beltie; Johne Forbes of Asloune; Mr. William Davidsone of Carny; James Hay of Mwiryfauld.

20th Januarii, 1644.

Sederunt: L. Drum; L. Tolquhon; L. Cragywar; L. Glenkindie; L. Udny; L. Echt; Mr. Robert Farquhar; Invercald; Glackriache; Haltoune; Johne Irving of Beltie; Mr. William Davidsone; Johne Forbes of Asloune; William Setone, chamerlane of Fyvie; Robert Irving of Fedderat.

Comperit Alexander Strauchane, younger of Thornetoune, and producit ane act of the committe of estaitis, givend full powar.

It is ordanit that no persones frie rent, within quhatsumevir parochin, be valued under the rent givin up in the rentallis of the tentis and tuentis, wnles the persones thame selffis compeir and tak the samen doune upone thair great aithes sworne.

The haill committe, all in ane voice, decries and ordanis that naine of the commissioneris present depairt out of the toune of Abirdein without licience of the committe, and that they keip and frequent the ordinar meiting to be appoynted be thame for finishing of the valuationes of the rentallis of ilk presbitrie, ay and quhill the perfyting thairof and quhill the loane and taxt be stentit and sett doune wnder the paine of fyve hundreth merkis scottis money, to be wpliftit unforgivin.

Sir William Forbes of Cragywar and Robert Farquharsone of Invercald wer licencied to depairt in respect they wer directed be the committe of warr to the Marqueis of Huntly, to speik and conferr with his lordship tuitching sick bussines as ar committed to thair charge, with provisione that quhatsumevir beis concludit in thair absence be the present commissioneris of the valuationes, the saidis Sir William, and Robert Farquharsone doeth homologate, allow, and approve, and sall sett thair handis thairto, quhairunto they did assent.

The quhilk day, in presens of the commissioneris of the committe appoynted for the valuationes within the shireffdome of Abirdein, compeirit Lewtennant-Collonell Straquhan, and producit ane act of the conventioun

of estaites, of the dait the third day of Januarij, i^m vi^c fourtie-four yeiris, givand free powar and commissioun to the Earl Marschell, the said Lievtennant-Collonell Straquhan, and the laird of Morphie, conjunctlie and seuerallie, within the shireffdome of Kincardyne and Marshell's pairt of Abirdein, presentlie to goe about the bringing out of the foot and horss laid wpone that shyr, and for this end, in name of the conventioun of estaites, to requyr the committies for the valuatioun, and committies of war, to devyd and affix to evry heretour the number of horss that will fall wpone them, and to bring out the full number of foot and horss, weill mounted and armed, to the publict randevous, as the said act at mair lenthe beares.

Quhilk act being publiettie read in presens of the said committie of walnationes, the said Leivtennant-Collonell Straquhane did thairwpone ask and tak instrumentis, extract.

22d and 23d Januarij, 1644.

Sederunt: Sir Alexander Irving of Drum, knycht; Robert Irving of Fedderat; Arthure Forbes of Echt; Walter Forbes of Tolquhon; Johne Udny of that Ilk; Mr. Robert Farquhar of Mwny; Johne Irving of Beltie; Johne Forbes of Aslowne; Johne Keyth of Glackriauche; William Meldrum of Haltoun; Mr. William Davidson of Carny; Alexander Strauchane of Glenkindie; Thomas Ersken of Balhagardie.

24.

The same commissioneris convenit.

25.

The same commissioneris wer convenit.

26.

The same commissioneris wer convenit.

27

The samen commissioneris wer convenit.

2 Februarij, 1644.

Sederunt: the laird Drum; Thomas Erskene of Pittodrie; Walter

Forbes of Tolquhone; Johne Udny of that Ilk; Arthure Forbes of Echt; Alexander Strachane of Glenkindie; Johne Forbes, Aslowne; Johne Irving of Beltie; William Meldrum of Haltoun; Mr. Robert Farquhar of Mowny.

The quhilk day the haill commissioneris present ordanit the rentallis of ilk persone within the several parochins of this shyre, ilk page thairof to be subscryvit be Johne Udny of that Ilk, and Johne Irving of Beltie, and ilk page of the generall roll of the rentall of ilk parochin forsaid to be subscryvit be the saidis tua commissioneris, and the end of the said generall roll and last page thairof to be subscryvit be the greatest paint of the commissioneris for the valuationes, quhilk rollis to be so subscryvit the saidis commissionaris declaris and ordanis to be als valid and sufficient as if ilk persone's rent, ilk parochin, and ilk page wer subscryvit be the haill commissionaris and be ilk ane of thame, and ordanis the clerk to give out subscryvit warrantis and extract to the collectoris of ilk parochin for charging, for uplifting, and receiving the taxt and loane peyable be ilke persone, conforme to the proportione of ther rentallis sett doun in the said roll, quhairanent this present act sall be ane sufficient warrant.

Alex. Irwin.	(Signed)	Glenkindie.
W. Forbes.		Johne Udnie.
W. Forbes.		Wm. Meldrum.
John Irvin.		W. Dauidsone.
Robert Farquhar.		A. Forbes of Echt.
J. Keithe.		T. Erskyne.
R. Gordon.		Jo. Forbes.

13th June, 1646.

Sederunt: William Master of Frasser; Sir William Forbes of Cragyware; James Skene of that Ilk; Sir William Forbes of Monymusk; Sir Alexander Abircromby of Birkinboig; John Kennedy of Carmuckis; Walter Forbes of Tolquhon; Thomas Erskene of Pittodrie; Gilbert Skene of Dyce; Thomas Forbes of Watertoun; Francise Fraser of Kynmundie; Thomas Johnestoun of Cragie; Johne Forbes of Ardmurdo; William Forbes, younger of Corsindae; Arthure Forbes of Inuernochtie; Johne Forbes of Aslowne.

Comperit Sir William Forbes of Cragywar, knycht, and produeit ane commissione grantit be the estaitis of Parliament, daited the second day of Februar, 1646, for rectefieing of the valuationes of this shyre.

Conforme quhairunto the haill persones abovewreitin wer sworne, and gave thair aithes faithfullie to discharge the office of commissioneris for rectefeing the valuationes in maner specifeit in the commissione.

The committee apoynts Thomas Forbes of Watertoun, Gilbert Skene of Dyce, and Thomas Jonstoun of Craigie, to meitt and sitt at Abirdein quhatsumevir dayes they please, to indict and to convein befoir thaim the herctors, wedsetters, and lyverentaris of ilk presbitrie, and to tak tryall of thair several rentallis be witnessis, aith of pairtie, or any other lawfull way, and to caus sett the same doune in wreitt wnder thair handis, and to report; and if any ane of the thrie beis absent that the wther twa sall have powar to doe be thame selffis, or to mak choyce and call for any other commissioner to supplie the rowme of the absent.

And the committee, for farder incurragement of the saidis thrie subcommissioneris, takes the burden upone thame to frie the saidis thrie of thair partis of the levy of horssis at the handis of the committe of warre and rootemaisteris.

And ordaine the commissioneris to caus ilk persone pay the clerk for wreitting his rentall and dispositione as they think fitting; and appoyntis the saidis thrie to meitt.

At Aberdein, the sext day of Januarii, 1644 yeiris.

The quhilk day, in presens of the committe appointit for the loane and taxatioune within the shireffdome of Aberdein, comperit Thomas Erskin of Pettodrie and Mr. Robert Farquhar of Mowny, for thame selffis, and in name and behalf of Sir Thomas Crombie of Kemnay, knycht, thrie of the commissioneris for the said loane and taxt of the samen shyre, upon whom, be vertue of ane act of the said committe, the burden and charge of stenting and valuing of the sextein parochins of the Presbiterie of Gareoch within the said shyre was laid and impoisit, who having bein readie, they allegit, to have givin in, in the moneth of Novembir last, their diligence of the said presbiterie for the said valuation, did give in the same in the moneth of Decembir last, subscryvit with thair handis, quhilk being this day, in presens of certane auditoris of the said committee, red, hard, sein, and allowit, did protest for thame selffis, and in name of the said Sir Thomas Crombie, then also a commissioner to the conventioun of estaitis at Edinburgh; that in respect they hade done diligence in that quhilk wes committit to thair charge,

and with quhilk they were intrustit, and wer willing and readie thair to convein, sit, and joyn with the remanent of the said commissioneris till the finall perfyting of the haill rolle of the said shyre, lykeas they hade faithfullie keipit all the dyatis and meitingis of the said committe befoir the dait heirof; thairfoir, they protestit that they sould be frie of all prejudice that sould ensew for not perfecting the rolle of the said shyre, and for not tymeous deliuerie thairof to the collector of the same; and that no neglect or defect sould be imput to the saidis thrie commissioneris, or to any of thaim. Thairfoir, upon the quhilkis premissis, the saidis Thomas Erskin of Pettodrie and Mr. Robert Farquhar of Mowny, in name and behalf foirsaid, askit and tuik instrumentis.

SUMMONS

AGAINST THE

MAGISTRATES OF ABERDEEN.

1591.

SUMMONS

AGAINST THE

MAGISTRATES OF ABERDEEN.

James, be the grace of God King of Scottis, to our louite, Alexander Chalmer, messengers, our shireffs in that pairt, conjunctlie and seuerallie, specially constitute greiting. Forsameikle as it is humbly meanit and schawin to us be our louits Robert Louranston, Androu Schiras, Alexander Ruddach, Maister Johnne Cheyne, Alexander Ewin, Williame Marr, Johnne Layng, George Layng, Thomas Donnaldsonne, Robert Stewart, James Stewart, Andro Kyng, Alexander Stewin, Alexander Ronnaldsonne, Lourance Mersher, Johnne Sanders, Thomas Cuik, Andro Leslie, Andro Milne, Alexander Litster, burgessis and craftismen of the burgh of Abirdein, for themselffis and the remanent burgessis, craftismen, communitie, and inhabitantis of our said burgh, haueing sufficient entres to crave the onlawfull governement of the pretendit magistratis thairof, and their successouris, underwrittin, to be repairit, to the effect that our said burgh may be restoirit to the ancient state, conditioun, and integritie. That quhair our maist noble progenitouris, of worthie and good memorie, hes of auld . . . . . our said burgh of Aberdein, and dotit the samyn with many and sundrie fridomes, priviledges, liberties, immunities, landis, possessiones, and meikle rentis, houssis, offices, and uthers, belonging perteining thairto, quhairoff the inhabitants of the samyn, from tyme to tyme, hes bein in peaceable possessioun, past memorie of man. For preservatioun of the quhilkis liberties, friedomes, landis, possessiounes, and uthers forsaidis, the saidis complenaris, predecessoreris, inhabitantis of our said burgh, and alswa, wer maist cairfullie keipit and preservit the samyn, in the auld integritie, undisponit, delapidat, or put away, as alswa bigit, mainteinit, and continuallie enlargit the commoun workis of our said burgh, kirk,

and patrimonie thairof, in goode estate, to the advancement of ws, our progenitouris, realme, lidges, and uthers strangers frequenting thairintill. Quhill that in the yeir of God ane thowsand [five] hundred tettie ane yeiris, or thairby, umquhill Thomas Mengzies of Petfoddellis, than provest, quha continwit thairintill unto his deceis, quhilk was in the moneth of December, or thairby, in the yeir of God ane thowsand [five] hundreth sewintie sex yeiris, and immediatlie efter him umquhill Gilbert Mengzeis of Petfoddellis, his sonne and air, enterand in the said office, and continewit thairintill quhill his deceis, quhilk was in the moneth of Novembir, the yeir of God ane thowsand [five] hundreth fourscoir aught yeiris; and efter him Maister Thomas Mengzeis of Durne, wha continewit thairintill whill Michaelmes, in the yeir of God ane thowsand [five] hundreth four scoir ten yeiris; and sensyne intruseit himself, and remained, without lauchfull electioun, as principall of the said counsall of our said burgh. Als umquhill Gilbert Mengzeis, elder, Robert Mengzeis, elder, Alexander Chalmer, Andro Buck, Johnne Lowsonne, Robert Cullen, Gilbert Colinsonne, Alexander Rutherfurd, and Walter Leslie, intruseing themselves, the tyme forsaid, without lauchfull electioun, as persounes of counsall in our said burgh, and continewing themselves thairintill the dayes and daitis respectiue of their deceiss underwrittin, viz.: The said umquhill Gilbert Mengzeis, elder, to his deceis, quhilk was in the moneth of Octobir, in the yeir of God ane thowsand five hundreth sewintie and nyne yeiris; and, efter him, Dauid Mengzeis, elder, his sonne and air. The said umquhill Robert Mengzeis, elder, to his deceis, quhilk was in the moneth of Octobir, the yeir of God jai v^c^ four scoir four yeiris; and, efter him, Dauid Mengzeis, yonger, his sonne and air. The said wmquhill Alexander Chalmer, to his deceis, quhilk was in the moneth of Februar, the yer of God ane thowsand [five] hundreth four scoir four yeiris; and, efter his deceis, Alexander Chalmer of Cultis, his sonne and air. The said wmquhill Androw Buck, to his deceis, quhilk was in the moneth of November, the yeir of God ane thowsand [five] hundreth sewintie sewin yeiris; and, efter him, Thomas Buck, his sonne and air. The said Johnne Lowsonne, to his deceis, quhilk was in the moneth of . . . . . the yeir of God ane thowsand [five] hundreth four scoir fyve yeris; and, efter him, Andro Lowsonne, his sonne and air. The said umquhill Robert Cullen, to his deceis, quhilk was in the moneth of September, the yeir of

God jai [five] hundreth fourtie sewin yeiris; and, efter him, Alexander Cullen, his sonne and air. The said umquhil Gilbert Collisonne, to his deceis, quhilk was in the moneth of . . . . . the yeir of God jai [five] hundreth fourscoir ane yeiris; and, efter him, Johnne Collisonne, his sonne and air. The said umquhill Alexander Rutherfurd, to his deceis, quhilk was in the moneth of Decembir, the yeir of God jai [five] hundreth feftie nyne yeiris; and, efter him, Mr. Patrick Rutherfurd, his sonne and air, to his deceis, quhilk was in the moneth of December, the yeir of God jai [five] hundreth sewintie nyntie yeiris; and, efter him, Alexander Rutherfurd, his sonne and air. And the said umquhill Walter Leslie, to his deceis, quhilk was in the moneth of Januarie, the yeir of God jai [five] hundreth fourtie aught yeiris; and, efter him, Patrick Leslie, his sonne and air. And siclyk, the tyme forsaid and sensyne are joynit with them Alexander Knowis, elder; Dauid Mar, elder; Williame Mengzeis, elder; Thomas Mengzeis, appeirand of Durne; George Knowis, Alexander Forbes, William Menzeis, Andro Lowsonne . . . . . secunds, thrids, fourtis in degrie, and consanguinitie respectiue with the said Mr. Thomas Mengzies of Durne, all of ane monopoll and faction amassit themselues togither, under pretext and collour of bearing charge of offices of provestrie and counsall, within our said burgh continuallie sen the said feftie ane yeir of God, maist wrangouslie tooke upon them the said offices of our said burgh and all uther chieff offices thairof, intruisit and continewatit themselffes thairintill, without lauchfull election or common consent of the burgessis of gild, deacons of craft, or yet sworne in presence of the communitie at any tyme thairto, against our acts of parliament, lawis, and lawdable constitutiones of our borrowis observit within our realme, quhairto not onlie haue delapidat and put away the common good, common rentis, friedomes, accidentis, and casualties of our said burgh, and utherwayes appropriat the samyn to thir awin particular wss, bot alswa hes put away the few grassum siluer resauit be thame for . . . . furth in few ferme, and heritage of their common landis and taks particularlie efter specifeit: The artilziarie and mwnition of the towne, quhilk sould haue ben preserwit and augmentit for defence of our burgh, realme, and liedges in tyme of forrane persut; the patrimonie of their parioche kirk and furnitur thairof extant in tyme of reformatioun of religioun within our realme, with all uthir furnitur preparit for the de-

coiring and uphalding and mantaineing of the samyn; and is maist negligent counsallouris, pretending themselffis fathers of the common wealth, hes lattin all common workis of our said burght alluterlie decay and tyne, with many uther commodities maist profitable and perteining thairto in their default, and hes done and undone all thing at their pleasures, to the utter wrack and decay of our said burgh, being of great . . . . . communitie thairof: at the least, they nor nane of them euer opponit themselues in the contrair thairof, declairing their consent thairto, and approbatioun thairof, and sua, consequentlie, all as ane, and ane as all, ar committers of the wrongs particularlie efter specefit, now manifestlie shown through all our realme but controlment indureing the yeiris and space aboue writtin, when us the complinaris, predecessouris, neightbouris, and poore communitie of our said burgh, being terrified through feare and dreadour of the said pretendit counsall, their force and absolute authoritie tane upon thame, durst not presume to crave compt reckining or oppone themselues against their maist wrangous dealings and malicious proceidings thairanent. For restitution and reparatioun of the quhilks and said complinaris, and ilk ane feft themselues, and in name of the remanent their neightbouris, as sworne burgessis, craftismen, and communitie bearing the greatest burden of our said burght, hes good and compitent action, place, and entres to crave payment, restitutioun, and delyverance of the rentis, soumes of money, siluer work, jewals of the toune, furnitur of the kirk thairof, and uthers of the particular spaces and valour underwrittin, and for reparatioun of the common decayit workis of our said burgh and uthers efter specefeit, against the persons befoir and under mentionat provest and pretendit counsall of our said burgh the tymes respectiue aboue conteinit, extending as is particularlie efter dewydit: that is to say, in the moneth of . . . . . the yeir of God, jai [five] hundreth feftie ane yeiris, the tyme that umquhill, our dearest and traist cowsing, James Duke of Chattelarault, Lord Hammiltoun, wes governour to our realme and leidges, the said wmquhill Thomas Mengzeis, than provest, and remanent persones of pretendit counsall befoir and efter mentionat tuk to themselues and set furth to uthers persons underwrittin respectiue the tounes landis, and common landis, as they wer than occupeit and labourit for the tyme, heretablie in few ferme and heritage particularlie efter following: viz., the persones of counsall aboue writtin, in the moneth of . . . . . the yeir of God jai [five] hundreth

feftie ane or feftie tua yeiris, set to the said umquhill Thomas Mengzeis, prouest, and his airis, the tounes and landis of Tullois and Boigfairlie: and the said umquhill Thomas and pretendit counsall set furth lykwayes, in few ferme and heritage, to the said umquhil Alexander Chalmer of Cultis, and his airis, the tounes landis of Gardine, Brotherfield, and Countesswallis; to umquhill Johne Chalmer, burges of Abirdein, and his airis, the tounes and landis of Haselheid; to umquhill Gilbert Tullidaff, and Johnne Irving of Kincowsie, and their airis, the tounes and landis of Schedokisley; to umquhill Gilbert Colisonne and his airis, the tounes and lands of Frosterhill; to wmquhill Alexander Rutherfuird and his airis, the tounes and landis of Rubislaw; to Johnne Arthur and his airis, the tounes and lands of Kingiswallis; and to wmquhill Gilbert Knowis, and Duncane Forbes, and their airis, the tounes and landis of Cruiffis, as they wer than occupeit and labourit, lyand within the friedome of the said burgh and our schirrefdome of the samyn, for the few grassum silner, quhairof the said umquhill Thomas Mengzeis, prouest, and remanent persones of pretendit counsall respectiue aboue and under writtin, at the least some of them, with advyce of the remanent, at the least they opponit not themselves in contrair receipt thairof; at the least, the said umquhill Thomas Mengzies, prouest, and his said sonne and air, got and resauit, and sould haue made furthcomeand to the weill of the tounes proffeit and commoditie thairof, fra the persones forsaidis, whome to the saidis landis wer sett, the sowme of twa thowsand and fyve hundreth merkis money of our realme, wrangouslie disponit to them, to their awin particular proffeit and adves, the yeirlie rent thairof sensyne, extending to twa hundreth and fiftie merkis money forsaid; and wold haue bein no les worth give the said principall sowme had bein bestowit on heritable or wedsett landis, or utherwayes wairit to the best availl, weill, and proffeit of the towne. Item, the patronages and fundationes of alterages, houssis, and annuel rentis, perteining to the kirk of our said burgh, sauld and utherwayes disponit be thame, with the moveable furnitur of the kirk, and uthers underspecefeit, extant the tyme of alteration of the religioun, quhilk was in the moneth of Novembir, the yeir of God ane thowsand fyve hundreth fiftie nyne yeiris, or in the said yeir, and have sauld, disponit, delapidat, and utherwayes usit and away put be them at their pleasure, extending to the particular spaces and valour underwrittin, that is to say, within their said paroche kirk, perteining to the

saidis complinaris and communitie of our said burght, aucht chandlers of fyne siluer, aucht siluer chalices, witht their patenues, tua siluer eucharists, ane siluer steip, ane crosie, siluer stock, sex siluer alter spunes, tua censures fyne siluer, extending to fourtie pund weght of fyne siluer, pryce of ilk unce weght thairof is fourtie twa shillings; item, feftie twa brazen chandlers, ane great stein latroun, of massie brass, within the quire, in forme of the pelican with her birds, quhairin the evangell was red, extending to the weyght of tuentie stein of fyne brass, pryce of ilk pund weght, vi s. viii d.; item, fyve new staines of kaipis of fyne gold, witht thre uther of inferiour kaipis, perteining to the said kirk and service, pryce of ilk peice thairof twa hundreth thrie scoir sex pundis threttein shillings four pennyes; item, sextein staine of fyne mass cloathis of cloath of gold, crommassie grein, black, and purpour velvot, is stornit with gold, with their chessols, and with the furnitur perteining thairto, as the priestis stoode at the altar; ane latron dotit and mortifeit be the communitie to Sanct Nicholas, Sanct Johnne the Evangelist, Magdalen our lady altars, and uthers, foundit within the said kirk, pryce of ilk stane thairof ouerheid fourtie pundis money; item, ane pair of fyne organes, weill furnishit with their sang buird and all their tungis, pryce thairof as they stoode tua hundreth pundis; item, ten pair of furnitures, or hingers befoir the altars, of fyne crommassie veluot, cromassie satyn, reid dumass, quhyt black and violat welvets and satynes, dropit with gold and golden letters, pryce of ilk piece ouerhead fourtie pundis; item, aucht gryt aikin treis, growin within the said kirk yard of our said burgh, for brackin of the wind fra the said kirk, and for stocking of gwnes and uther commoun workis in the toune, tane downe and hewin to their awin particular uses, pryce of ilk peice owerhead to sex pundis threttein schillings four penneyes; item, four scoir and ane peice of weill furnishit artailziarie and munition perteining to the toune, sic as long Meg, yetlings, falconers, half falconers, double slings, slings, and half slings, quhairoff Waltar Cat of Leythe gave sex peice for his convict of ane unlaw to the toune, with the chalmers to ilk piece of the number foirsaid, weill furnishit, stockit, and wyllit with their bullats, quhilk wes extant, keipit, and preservit thrie yeiris efter the field of Pinkie Creichie, be umquhill Gamis Gunner, Dutchman, and umquhill Alexander Ratray, seale gunner to the toune for the tyme, all disponit and put away be saids umquhill pretendit provests and counsall, at seue-

rall tymes sen the tymes forsaid, pryce of ilk peice owerheid, fourtie sex pundis threttein shillings four pennyes. Item, in the moneth of . . . the yer of God jai . . . . . yeirs, their was thrie hundreth merkis money, taxit and gatherit amongst the haill communitie, burgessis, and craftismen of our said burgh, quhilk was send be the toune to umquhill . . . Erskyn of Dun for support to the biging of the North Water Bridge, and send back be him againe and refuisit, quhilk the said preteudit provest and counsall maist wrangouslie disponit and pat away. Item, ane great chaine of irne and ship mastis linkit together, quhilk usit to be put athort the water mouth for furth halding of strangers' ships and tyme of warres, also for keiping of ships within the said water mouthe efter they areistit for sic causes as the toune might lay to their charge, together with the great branders in milstanes, infixt with irne and lead in ilk syde of the water, destroyit and put away be them in the moneth of Decembir, the yeir of God jai v^c^ fourtie-nyne yeirs: pryce of the haill. four hundreth merkis money aboue writtin. Item, feftie chalders of lyme, fynlie mixt, layed at the great blok hous, in the moneth of August, the yeir of God jai v^c^ threttie-ane yeiris, for performance of the work thairof, together with the furnitur of the said blok hous, prowydit for warre and for ennemies, now decayit and destroyit for fault of repairing of the samyn with the lyme forsaid, and their awin water runing throw the woltis of the said blok hous, the said lyme being destroyit in default of the said defenders, and not put to the right use, quhairby the said blok house is skaithit with the pryce of the said lyme, the soume of fyve hundreth pundis. Item, the tounes marking irnes for burning of salmound, sealing of pecks, firlots, and uther measouris, with the keyis of the shoir, and yeirlie profeit belonging thairto that they wald haue bein worth give they hade bein weill and rightlie usit, extending yeirlie to the space of feftie yeiris bypast to the soume of fourtie merks, quhilk as be the contrair, to the great hurt, their negligence and ower sight sufferit spilt salmond fish, alsweill to burgh as landward, to be markit, to the great sclander and wrack of our said burgh. Item, the yeirlie rent of the tounes sealis for admission of entrant tennantis, seal of testimonie and caussis, give the samyn had bein ryghtlie usit and put to profeit, quhilk was neglectit and owersein be the saidis persones, extending yeirlie dureing the said space of feftie yeiris to the soume of tua hundreith merkis. Item, in the yeir of God jai v^c^ . . . . . yeiris, umquhill Mr. George

Johnnestoune, burges of our said burgh, being deane of gild for the tyme, boght fourtie-sex peice of wainscott, twa hundreth double dailis, with threttie peice of aikin timber of threttie and tuentie-four footis of length, to the townes werk, nawayes imployit thairin, but destroyt and put away be the said umquhill pretendit provest and counsall forsaids: pryce thairof, sex scoir threttein pundis sex schillingis aught pennyes. Item, in the moneth of . . . . . or thairby, the yeir of God jai v^c^ threttie fyve yeiris, the said umquhill Thomas Mengzeis; umquhill Gilbert Mengzeis, his sonne and successour; Gilbert Mengzeis, now his oye and air; and the said Mr. Thomas Mengzeis of Durne, his tutor, curatour, and administratour for his entres, intruseit themselues in possessioun of the customes, and utheris immediatlie efter specefeit; and be vertue of their pretendit possessioune thairof intromittit with, upliftit, retainit continuallie dureing the haill yeiris aboue writtin, and, as yit, wrangouslie retaines and with haldis fra the saidis complinaris and communitie the haill toune's customes of strangers' guids comeing in by sea anchorages, the syss toll of girnall goodis, the metis of lyme, wooll, salt, and utheris belonging thairto, quhilk was and is, at the least, wold haue bein, worth yeirlie the saidis yeiris, give the samyn had bein out of the toune's weill and profeit, the soume of thrie hundreth merkis money; as also, be the owersight of the said pretendit umquhill prouestis and counsall, in the moneth of November or thairby, the yeir of God, jai v^c^ fourtie-nyne yeiris, the said Patrick Leslie wrongouslie intruseit him in possessioun of the handbell of our said burgh, detaines withhauldand, as yit, sensyne, wrongouslie deteinis and withhauldis fra the said communitie their said bell, with the yeirlie victuall revenue, and utheris perteining thairto, yeirlie rentis, causalties, and accidentis thairof, quhilk was and is worth yeirlie the saidis yeiris, lyke as the same wald have been worth, give the samyn bell and profeitis thairof hade been prescruit to the right use and weill of the towne, the soume of thrie hundreth merkis money, ilk yeir to mend uthers. Item, the said umquhill prouestis and remanent persones of counsall forsaids, in the yeir of God jai v^c^ thrie scoir threttein yeiris or thairby, taxt the communitie, burgessis, and craftismen of our said burghe in the soume of tuelff hundreth merkis money, intromittit with resauit and got payment of the samyn, at the least, of the sowme of sex hundretht merkis money thairof, ordainit and destinat to haue bought lead to theik the north yle of their paroche kirk, nawayes imployit thairuponne, nor in

no uther good work of weill of our said burgh, bot usit and disponit be the said umquhill prouestis and remanent personnes forsaidis to their use, utilitie, and profeit, and thairfor aught to be compellit to mack restitutioun and re-delyverance thairof to the saidis complinaris. Item, the saidis prouestis and counsall than for the tyme, in the yeir of God jai v^c fourscoir fyve yeiris or thairby, compellit the saidis complinaris and communitie to pay to them ane taxatioun of ane thowsand merkis money, quhilk they alledgit they wald give to Capitane Thomas Ker, and Dauid Mar, burgessis of our said burghe, for their right and title of the black and whyt freiris' croftis of Abirdein, and annuel rentis thairof, with their pertinentis, and neither obteinit they the saidis landis, bot left and tint the right thairof in their default, nor yit wold render the said sowme of ane thowsand merkis back againe to the saidis complinaris, togidder witht the soume of ane hundreth merkis yeirlie thairfor sensyne, quhilk the samyn wold not faill to haue givin, give it had bein put and imployit to the right use. Item, in the moneth of Januarie, the yeir of God jai v^c fourscoir tua yeiris, their was thrie thowsand peice of fyne hewin free staine, ashler work, caryit and put in keiping in the Magdalene Yle, and thairefter in our ladyes pittie wolt of the said parroche kirk of Abirdein, uponne the tounes expensis, destinat to haue bigit, eikit, and augmentit the bulwark and peirheid of our said burgh, all sensyne abstractit and put away be the said personnes to their awin particular use: pryce thairof, fyve hundreth pundis money forsaid. Item, in the yeir of God jai v^c . . . . . yeiris, the forsaidis persones, at the least, the said Gilbert Mengzes, prouest; Gilbert Mengzes, elder, and certaine uthers of their colligis at their command, wrongouslie tooke up and resauit from umquhill Alexander Litster, burges of our said, and maister of Sanct Thomas Hospitall of the samyn burgh, collectour to the poore for the tyme, the sowme of feftie pundis of the saidis pooris moneyis of our said burght, and nawayes imployit the samyn to the right use, bot disponit thairupon at their pleasure, and thairfore sould restoir and delyuer the samyn to the saidis complinaris, in name of the pooreall and hospitall within our said burgh. Item, in the moneth of Apryle, jai v^c aughtienyne yeiris, immediatlie efter the raid of the Bridge of Dee and our awin comeing to Abirdein, our said burgh and communitie thairof was frie of auld debtis contractit or awand be them to uthers, and had than extant of frie moneyis the soume of four scoir sextein pundis money, and sensyne

our said communitie payit the sowme of fourtein thowsand merks of taxatiounes and impositiounes layd on them, and not obstant thairof. The said Mr. Thomas Mengzeis of Durn and present persones of counsall hes for no lauchfull caus or occasioune imput upon the haill toune and communitie the sowme of four thowsand and thrie hundreth merkis, for the quhilk they haue yeirlie the yeiris of God jai v^c^ four scoir nyne and four scoir ten, and Witsunday terme, fourscoir ellewin yeiris, tane and compellit the towne's proper goods, geir, rentis, accidentis, and casualties thairof to pay the soume of ten merkis money for ilk hundreth merkis money of the said soume yeirlie dureing the said space, maist wrangouslie; and inrespect that the said sowme of four thousand and tyve hundreth merkis is contractit for no lauchfull caus profitabill for the weill of the said burgh, the said complinaris and communitie forsaid aucht and sould not only be relievit and exonerit simpliciter of the haill principall soume, bot also the said Mr. Thomas and remanent persones forsaidis now of counsall aucht and sould refound, content, and pay to the saidis complinaris to the weill, utilitie, and profeit of the toune the said annuel rent of the haill soume forsaid intromittit with be thame of the yeiris and termes aboue expremit, and to frie them thairof in all tymes comeing. Item, be the support of uther our burrowis and our said burghe of Abirdein, in the moneth of Apryle or thairby, in the yeir of God jai v^c^ fourscoir and ten yeiris, their was the soume of thrie thowsand and tua hundreth merkis money taxt, collectit, and gatherit for outred of a ship to Denmark for our service, quhilk being outred and compleitlie furnished, their restit in the handis of the said prouest and pretendit counsall the sowme of auchtein hundreth merkis money, wha usit and disponit the same to their awin use and proffeit, albeit in very deed they ought to haue bestowit the samyn to the weill of the toune, and thairfor aucht and sould delyvert the samyn to the saidis complinaris and communitie forsaidis. Item, in the moneth of . . . . . the yeir of God forsaid, Thomas Buck and George Knowis, tua of the said pretendit counsall, being directit as commissionaris be them to our burgh of Edinburgh expres contrair the command of the complinaris and communitie forsaidis, got and resauit in their name the soume of aucht thowsand pundis money of tocher good to bein distribute amongst the said communitie, burgessis, and craftismen of our said burgh for the yeirlie rent of ten merkis for ilk hundreth thairof for support of their necessities, in respect of the great taxa-

tiounes imposit by ws upon them, quhilk haill soume the said Mr. Thomas Mengzeis and remanent persones of counsall now pretendit maist wrangouslie retainit and reteines the samyn amangs themselues expres contrair to our will and meaning, quhilk was and is that the samyn sould be distribut amongst the communitie for the yeirlie rent forsaid, as was ordanit, and is done in our borrowis of Edinburght, Dundie, and Perthe, who resaued lykwayes uther gryt soumes of our said tocher good for the lyke profeit. And trew it is and of veritie that the haill communitie, burgessis, craftismen, and inhabitantis of our said burgh ar astrictit, bund, and obleist thairfor, and requyrit ane distribution to haue bein made thairof be the saidis pretendit prouest and counsall, and offerit sufficient heritable infeftments of land for the samyn, about the valour of feftie thowsand pundis, quhilk they alluterlie refusit, as authentik instrumentis, articles, and documentis tane and extant thairuponn beares: notwithstanding quhairof, the said Mr. Thomas and remanent persons now present of counsall hes wrongouslie deteinit, and deteinis, and withholdis among themselffis, and distributit as they thoght good the said haill soume upon bonds and securities made amongs themselves, keipit and deteinit with the said soume in their awin handis, not obstant that the saidis complinaris and communitie forsaidis ar bund, obleist, and astrictit thairfoir, and hes no relief of the same, and thairfoir the saidis pretendit prouest and counsall aucht and sould be compellit to destribut the samyn amongst the complinaris and communitie of our said burghe, upon the securitie aboue specifeit, conforme to the ordour usit in our said uther burrowes. Item, the said pretendit provest and counsall hes sufferit, and daylie suffers our bridge of Dee, the most profitable monument within the north pairt of our realme, to decay, and the water bushing and rwning throw the hewin work of the pillars thairof, to the utter wrack alsweill of all our liedges, as of our said burgh, the skaithe, damnage, and expensiss thairof, befoir the samyn be sufficientlie repairit, extending to fyve hundreth merkis. Item, the steiple of the Tolbuith of our said burgh, through not awaiting thairon, and mending of the same in due tyme, tuentie pundis money wold haue repairit the samyn, quhair as now ane thowsand merkis money will not erect the samyn in the auld forme as it was bigit obefoir; for the weill thairfor, and of our said towne, the saidis pretendit provest and counsall aucht and sould make delyverance of the said soume to the saidis

complinaris. Item, the saidis umquhill pretendit prouest and counsall successiue fra tyme to come, be the space of threttie yeiris bygane, and as yit hes sufferit, and dalyie suffers the few tenementis, subtennentis, and strangers outlandis men to burne and destroye heddar, fewall, burne, teill and ryve furth the townes landis, and saw corne thairupoun, quhairupoun the pure communitie aught and sould be susteinit, certaine of the said pretendit counsall being few tennentis themselves. Quhilkis haill premissis aboue writtin, the saidis persones aboue writtin, as pretendit prouestis and persones of counsall respectiue, and successiue efter uthers, being of ane monopoll and factioun, as said is, hes maist wrongouslie committit, at the least they, and ilk ane of them, gave their consent to, or at the least nane of them opponit themselues, in the contrar thairof manifesting and declaring themselues thairby to be all fortifiers, maintainers, and assistars of the strange particularitie aboue writtin, and all in ane voice concludit thairupoun; and, thairfor, so mony of the saidis persones as ar on lyff, and the oyes, sonnes, and airis of the defunctis aught and sould be ansyrable thairfoir, who pretendit themselffis fathers of the common weill of our said burgh, and under pretext and cullour thairof did and undid all things at their pleasure, without election and laufull admissioun to be counsallouris, in forme and maner supramentionat. Inrespect of the quhilkis the saidis Mr. Thomas Mengyeis of Durne, Thomas Mengyeis, Williame Mengyeis, brother to the said Maister Thomas, Alexander Cullen, Alexander Forbes, Dauid Mar, elder; Robert Mengzeis, younger; Patrik Leslie, and Alexander Rutherfuird, for themselffis and their awin deidis done in their awin tyme, in maner and be the spaces aboue expremit; als the said Gilbert Mengzeis, oy and air to the said umquhill Gilbert Mengzeis of Petfoddellis, wha was sonne, air, and universall successour to the said umquhill Thomas Mengzeis, prouest, and the said Mr. Thomas Mengzeis of Durn, for himself, and as tutour, curatour, and lauful administratour to the said Gilbert Mengzeis, and all uthers his tutouris and curatouris, give he ony hes, and the said Mr. Thomas; als the said Alexander Chalmer, for himself, and as sonne and air to the said Alexander Chalmer of Cultis; the said Dauid Mengzeis, elder, for himself, dureing his awin tyme, and as sonne and air to the said umquhill Gilbert Mengzeis, elder; the said Dauid Mengzeis, younger, for himself, dureing his awin tyme, and as sonne and air to the said umquhill Robert Mengzeis, elder; the said

Alexander Rutherfuird, for himself, dureing his awin tyme, and as sonne and air to Mr. Patrick Rutherfuird, and as oy and air to the said Alexander Rutherfuird; the said Androw Lowsonne, for himself, dureing his awin tyme, and as sonne and air to the said umquhill Johnne Lowsonne; the said Thomas Buck, for himself, dureing his awin tyme, and as sonne and air to the said umquhill Andro Buck; the said Johnne Collison, for himself, and as oy and air to the said umquhill Gilbert Collisonne; the said Patrick Leslie, as sonne and air to umquhill Walter Leslie, and as for himself, dureing his awin tyme, and for the handbell and yeirlie rentis and profeittis thairof aboue mentionat: at the least, the forsaidis persones, for themselves, and as oyes, sonnes, airis, and universall successouris, *titulo lucrativo* to their said umquhill predicessouris, fathers, and parentis, their landis, heretages, guids and geir: at the least, *gesserunt se pro herede* to their said parentis and predecessouris respectiue, and amassit togither as convict persones of ane pretendit counsall without laufull election, as said is, did and undid the premissis and all uther things at their pleasure, without contradictioun, at the least, without oppositioune made be any of them to uthers: aucht and sould be decernit, be decreit of the lordis of our counsall, ilk ane or ony ane of them to refound, content, pay, and delyuer to the saidis complinaris and remanent communitie of our said burgh, for the weill thairof, the foirnameit soumes of money, gottin and resauit be them in maner aboue writtin, in name of grassum, for the tounes landis, givin furth be thame in few as for the principall, together with the byrunn rent thairof aboue specifeit, and sould restoir to them the kaipis, the silver work, cloathis, furnnitur, and haill ornamentis of our said towne's parioche kirk, the haill munitioun, cairtit, wheilit, with their chalmers and bullats, ashin timber tries, chayne of irne, mastis and branderis thairof athoirt the water mouthe, the haill mixt lyme aboue specefeit, and the saidis blok hous, Bridge of Dee, Toulbuit, and steiple dewlie bigit, mendit, and repairit againe, with the haill fornitur thairof, as they wer of old, the haill wainscott, dailis, and aikin timber coft be the said umquhill Mr. George Johnstoun, deane of gild forsaid, or pryces of silver aboue lybellit thairfor; as also sould restore and delyuer to the saidis complinaris and communitie forsaid the siluer aboue mentionat, givin to buy the kirk, land, and theiking of the said north ile: Danid Maris and Capitane Thomas Kers, taxatioun for the saidis freiris landis, tint and lost, in default of the saidis

defendaris, together with the yeirlie rent thairof aboue conteinit, the hewin ashler staines aboue nameit, or the pryce thairof; as also the saidis defendaris, at the least, the persones particularlie aboue conteinit, intromittit with the soume efter specefeit, aucht and sould restoir and redelyuer to the complinaris and communitie, in name of the poore and hospitalitie of our said burght, the said soume of feftie pundis, destinat for the poore; seclyke the forsaidis persones, defenders, ilk ane or ony of them, aucht and sould be decernit, be decreit forsaid, to render, restoir, and delyuer to the saidis complinaris and communitie of our said burgh, the remanent haill soumes and yeirlie rentis thairof, haill jewalis, gold, siluer, soumes, and uthers particularlie aboue specifeit. And, forder, the said Gilbert Mengyeis, oy and air to the said umquhill Gilbert Mengyeis of Petfoddellis, wha was sonne, air, and universall successour *titulo lucrativo* to the said umquhill Thomas Mengyeis of Petfoddellis, provest: the said Mr. Thomas Mengyeis, for himself, and als as tutour, curatour, and laufull administratour to the said Gilbert, and his uther tutouris and curatouris, give he ony hes, for their entres, aucht and sould restore and demit in the said townes and communities handis, the strangers customes, anchorages, syss bolls, mets of coals, lyme, and salt, and uthers belonging thairto, and yeirlie byrunn rentis thairof, specefeit obefoir, with the haill tounes sealis, gryte and small, and yeirlie rentis and proffeitis of the samyn, dureing the haill yeiris aboue conteinit. And attoure the said Patrick Leslie, in this caice, aucht and sould for himself onlie, restoir and demit in the saidis townes handes the hand bell and yeirlie rentis thairof in all tyme comeing; and siclyk to rander, restoir, and delyuer to them the yeirlie rentis of the samyn of the haill yeiris aboue mentionat, extending as is aboue conteinit. Quhilkis premissis the forsaides persones defendaris onnawayes will obtemper and fulfill to the saids complinaris and communitie ahoue writtin without they be compellit, as is alledgit: Our will is heirfor, and we charge yow, that ye laufullie summond, warne, and charge the saidis Mr. Thomas Mengzeis of Durne, Thomas Mengzeis, his sonne, William Mengzeis, brother to the said Mr. Thomas, Alexander Cullen, Alexander Knowis, Alexander Forbes, Dauid Mar, elder, Robert Mengzeis, younger, Patrick Leslie, and Alexander Rutherfuird, for themselves, during their awin tymes; als the said Gilbert Mengzeis, oy and air to the said umquhill Gilbert Mengzies of Petfoddellis, wha was sonne and

air, and universall successour to the said umquhill Thomas Mengzeis of Petfoddellis, prouest, and the said Mr. Thomas Mengzeis of Durne, as tutor, curatour, and lauchfull administratour to the said Gilbert, for his entres; als the said Alexander Chalmer, Dauid Mengzeis, elder, Dauid Mengzeis, younger, Alexander Rutherfuird, Andro Lowsonne, Thomas Buck, Johnne Collisonne, Patrick Leslie, Williame Mengzeis, Andro Lowsonne . . . . . for themselues, and as sonnes, oyes, airis, and universall successouris to their predecessouris, parentis, and fatheris, in maner aboue writtin, persons of offices, pretendit prouestis and counsall of our burghe, the tymes respectiue befoir mentionat, as amassit altogether in ane monopoll factione, but any lauchfull electioun or admissionne thairto, personallie or at their dwelling places, and all utheris the tutouris and curatouris, give ony be, of the said Gilbert Mengzeis of Petfoddellis, or utheris, haueing, or pretending to haue, entres in the said actioune and caus, be oppin proclamatioun at the mercat croce of our said burght of Aberdeen, and utheris places neidfull, to compeir befoir us and our counsall, at Edinburght, or quhair it shal happin us to be for the tyme, the sext day of November nixt to come, give it be lauchfull, and failzeing thairof, the nixt lauchfull day thairefter following, in the houre of caus, with continuatioun of dayes, to ansyer, at the instance of the saidis complinaris, that is to say, the forsaidis personnes, to heir and see it be verefeit and prowin in presence of our saidis lordis of our counsall, that the forsaidis persones wha wer and ar yit on lyfe the tyme of the first committing of the wrongis aboue specefeit, as alsua, the forsaidis uther persones, for themselves, and as oyes, sonnes, airis, and universall successouris forsaidis, at the least, *qui gesserunt se pro herede* did wrong in the committing of the haill articles and clausis aboue mentionat, particularlie as is aboue devydit, in maner and at the tymes respectiue aboue conteinit; and thairfor they, and ilk ane of them, at the least the said Gilbert Mengzeis, oy and air and universall successour to the said umquhill Gilbert Mengzeis, quhilk was sonne and air to the said umquhill Thomas Mengzeis, and the said Mr. Thomas Mengzeis of Durne, for himselff and as tutor, curatour, and lauchfull administratour to the said Gilbert, and his uther tutouris and curatouris, give he ony hes, for their entres, and with them sa mony of the remanent personnes aboue writtin as the saidis complinaris sall nominat in proces, to be decernit be decreit of our saidis lordis of our counsall, to rander,

restoir, and delyuer to the saidis complinaris and communitie of our said burgh, to the weill thairof, the fornameit soume of money, gottin and receauit be the fornameit personnes, defenders, and their parentis, being all amassit together as ane monopoll and factioun, without lauchfull electioun, as is befoir writtin, in name of grassum for the tounes landis givin furth be thame in few as for the principall, together with the byrunn rent thairof aboue specefeit, and to restoir and delyuer to them the kaipis, siluer werk, cloathes, furnitour, and haill ornamentis of the said parioche kirk of Abirdein, the haill munitiones, cairtit, wheilit, with their chalmers and bullatis, ashin tries, chain of yron, mastis, and branders thairof athoirt the watter mouth, the haill mixt lyme aboue specefeit, and the saidis Blok Hous, Brig of Dee, Tolbuith, and Steiple, dewlie bigit, mendit, and repairit agane, with the haill furnitour thairof, as they wer of old, the haill vainscot double and aikin timber, coft be the said umquhill Mr. George Johnnestonne, dean of gild forsaid, or pryces thairof syluer respectiue aboue lybellit thairfor, and to restoir and delyuer to the saidis complinaris and communitie forsaid the syluer aboue nameit, givin to buy the kirk lead and theiking of the said north yle, Dauid Maris and Capitane Thomas Ker's taxatioun for thesaidis freiris landis, tint and lost in the saidis defenders fault, together with the yeirlie rent thairof aboue conteinit, the hewin ashler staines aboue nameit, or the pryce thairof; as also the forsaidis personnes, at the least the personnes specialle aboue conteinit, intromettouris with the soume efter specefeit, to restoir and delyuer to the saidis complinaris and communitie, in name of the poore and hospitalitie of our said burght, the said soume of feftie pundis, destinat for the poore; and siclyk the saidis persones to rander, restoir, and delyuer to the saidis complinaris and communitie of our said burgh the remanent haill soumes of money, principall and yeirlie rentis thairof, haill jewalis, gold, siluer, soumes, and uthers particularlie aboue mentionat; and forder the said Gilbert Mengyeis, oy and air to the said umquhill Gilbert Mengyeis of Petfoddellis, quhilk was sonne and air to the said universall successour, *titulo lucrativo*, to the said umquhill Thomas Mengyeis of Petfoddellis, prouest: the said Mr. Thomas Mengyeis, for himselff, and als as tutour, curatour, and lauchfull administratour, to the said Gilbert, and others his curatouris, give he ony hes, for thair entres, to be decernit be decreit forsaid to restoir and demit in the saidis complinaris and communities handis the strangeris custome, anchorages

custome, syss boll, mets of lyme, coall, salt, and uthers belonging thairto, yeirlie byrunn rentis thairof aboue specifeit, with the haill townes sealis, great and small, and the haill yeirlie rent and profit thairof dureing the haill yeiris aboue conteinit. And attoure the saidis Patrick Leslie, for himself only in this caice, to be decernit lykwayes, be decreit forsaid, to restore and demit in the saidis complinaris and communities handis, the hand bell and yeirlie rentis thairof in all tyme comeing; and siclyk to rander, restoir, and delyuer to them the yeirlie rentis of the samyn bygane, of the haill yeiris aboue mentionat, extending as is aboue writtin, for the causes forsaidis, according to justice, and for the coastis and skaithes susteinit, and to be susteinit, be the saidis complinaris and communitie forsaid thairthrow. And, forder, to answer at thair instance in the said mater in swa far as law will, makand intimatioun to the saidis persones defendaris, that, whether they compeir or not the saidis day and place, with continuation of dayes, we and the saidis lordis of our counsall will proceid and minister justice in the said mater, in sa far as we may of law. Attour that ye lauchfully summond, warne, and charge . . . . . to compeir befoir us and our counsall, the saidis day and place, with continuatioun of dayes, to beare leill and soothfast witnessing, in swa far as they knaw or salbe speirit at them in the said mater, under all hiest paine and charge that efter may follow, as ye will ansuer to us thairuponn. The quhilk to dow, we commit to you coniunctlie and seuerallie our full power, be thir our lettres, delyvering them be yow dewlie execute and indorsit againe to the bearer. Given under our signet, at Edinburgh, the last day of August, and of our rigne, the fyft yeir, 1591 yeiris.

PROCESS AGAINST THE EGYPTIANS,

AT BANFF.

1700.

PROCESS:

PROCURATOR PHISCALL

AGAINST

THE EGYPTIANS.

Banff, 7th November, 1700. *Castlefield, deput, present.*

John Geills, procuratour phiscall of this shyre, with James Fraser, wrytter in Elgine, produces the indytement with the executiones, with ane supplement for charging of witnesses, and executione against them and assysers to this day and place.

Patrick Broune, Donald Broune, James M'Phersone, and James Gordone, being present, with John Cuthbert of Braikanhills, their procurator.

The which day, after reading of the indytement, compiered John Donaldsone, wreitor in Banff, and David Blair, servitor to the laird of Grant, and produced ane procuratorie from Alexander Grant, younger of that Ilk, to them to compeir befor the said shereff, and repledge the persones of Patrick and Donald Brounes from this court to the regality of Grant: produced also ane letter of bailliarie, granted by Ludovick Grant of that Ilk to the said Alexander, his sone, constituting him baillie of regalitie of the said regalitie of Grant, dated the tenth of October last bypast: as also produced the said Ludovick Grant his charter of erectione of his lands and estate in ane free regality, with power of replegiatione, dated the day of with the said Ludovick his saisine therupon, daited the 29th June, 1696, duelie registrat conforme to law, together with ane ratificatione of Parliament of the said right and jurisdictione of regalitie, in favores of the said Ludovick Grant, dated the 12th day of October, 1696; and, as before, craived the saids Patrick and Donald Brounes may be repledged to the said regalitie, and offered cautione of cubriach for that effect. Whereunto it wes ansred by the said James Fraser, with the concurrence of the phiscall, that he takes in-

strument against Grant upon his productione of the letter of bailliarie, and the rest of the pieces produced, as plainlie conniving and intertaining the pannels, who are notorious Gipsies; and the Act of Parliament libelled is opponed, where it sayes, that the sherriffs and other judges who does countenance and owne them, or in whose bounds they shall publicklie and avowadlie resort and remain, be called before his Highness Secret Councile, and severely censured and dismissed for their negligence of executione of the act; and furder, that the escheat of these, their countenancers, such as now the Laird of Grant, shall fall; and further, there can be no regaird had to the pretended charter produced, or other pieces, in respect that the same, at the time of passing therof, was opposed by the Sheriff of Murray, as prejudiciall to his hereditable shirrefship, as appears by ane protestatione publictlie taken by him theragainst. And not only so, but in prosecutione of the forsaid protestatione, and upon the other acts salvo he intended reductione of the forsaid pretended erectione of Grant's regality before the Lords of Sessione, which, after a full and vigorous debait, by the most eminent lawiers in the natione, and after great labor and paines theranent made by the saids Lords of Sessione, finding the same to be a great incroachment upon the Shirreff of Murray's privilege, they remitted the said actione to be discussed by the Parliament, where the samen now lyes in dependence. And therfor it is admired with what confidence Grant or his procurators should take upon them to make use of the forsaid charter in this replegiatione, seeing the Shirreff of Murray's reductione is depending befor the parliament as said is, being that its certain while a right is depending befor the Parliament, the same can be of no effect till discussed. *Replyed* by Grant's procurators, he oppones his charter and rights produced, and abydes be the samen; and the Sherreff of Murray cannot be admitted, not so much as compiere in this actione, untill first he produce a right in his persone to take of the charter of erectione, and no vestige of any title or right in the Sherreff of Murray's persone now produced; but the Laird of Grant, upon his charter of erectione and ratificatione thereof in Parliament, with the letter of bailliarie in favores of his sone, produced his good right and ground to repledge the saids Patrick and Donald Broune's, they living within his regalitie, and it is to the end and purpose that he may doe justice upon them according to his right and the known lawes and practique of the kingdome in such cases that

he desires to repledge, and offers cuhriach for that effect; but, 2°, the charter of erectione and Act of Parliament are still intire and unrepelled, and reduced by either sessione or Parliament, which, notwithstanding of any protestationes against the same, untill it be reduced or rescinded; and, 3^io^, the Shereff of Murray can pretend no hinderance of the replegiatione upon the account of his right as Shereff of Murray, because its offered to be proven by the witnesses cited by the phiscall against the said Peter and Donald Bronne's, that their residence this half-year bygone hes been in or neer to Castle Grant, which by the charter itself is evident it lies within the shyre of Inverness; 4^to^, the Act of Parliament cited for Shereff of Murray, and the nature of replegiatione, are both grossly mistaken, for Grant does not intend by repledging the pannalls to protect or connive with them in the crymes libelled, but onlie to repledge them by virtue of his soveraigne right of regalitie, and put them to condigne punishment in case the phiscall shall verifie and prove the libell; 5^to^, it is against comone sence and reason to pretend that ane protestatione against ane right once obtained, or raising any pretended reductione thereof, can hinder the making use of the same as to the concessions therupon granted, then a reductione of a bond doth hinder personall diligence in a civile cace, which is so rediculous as deserves verie little of the character of prudence to alledge.

Duplyed by Fraser, that the first pairt of the reply anent the Shirreff of Murray not producing a right to his sherriffship, is so trifling that it deserves no answer, being that its verie weell knowne that the Shirreff of Murray and his predecessors has these many generationes bypast exercised the office of heriditable sherriffs within the shyre of Murray, and its hoped cannot, nor needs not, here be questioned. As to the other four articles of the reply, the same amounts onlie to their repledging of the two Brounes conform to their forsaid pieces produced, but nowayes takes of the first answer thereto, and, therefor, the prosecutors shall not make furder duplie, but only oppones the former answer. And furder adds, that first its preceisly denyed that ever Peeter or Donald Broun, the pannalls, hade any tack of land or other habitation under the Laird of Grant at any time; but only for a whyll they resorted frequently a house and peice land, possest by one Donald Broun, elder, in the Laird of Grant's land within the heretable sherriffship of Moray, to cloak ther knavry; but, secondly, its very weell known, that

since Whitsunday last, the forsaids two Brouns hade never so much as a forty dayes' residence in any place whatsumever, except sometyms in ther ordinary manner, wher they took possession by violence, in opposing the leidges, and keeped their kilns and barns greatly against their wills and inclinations.

The Sherriff Deput, having considered the indytment, defences, answers, and replyes, finds the libell relevant, as declairing them to be holdin, known, and reput to be Egyptians, soroners, and vagabonds.

Grant's procurator protests that the bond of culriach for Patrick and Donald Brounes may be received, and that the indytement against them and any process theron shall have no force nor awaill in time coming against the saids pannalls craived to be repledged; whereupon Grant's procurator craives act and instrument. The pannalls cannot pass to the knowledge of ane inquest, nor are they liable to make any answer to the indytement, as the samen is libelled and pursued at the instance of the Procurator Fiscall, without concurse of the pairties, whereto the Shiriff in the cryme of theft is not competent, unless the pannalls were taken with fangs, which is neither libelled on, nor pretended in this cace, but only can be pursued befor the Justice Generall, but noways upon ane indytement before the Shereff, and the reason therof appears to be verie clear, because the Fiscall they industriously omit the pairties names, intending thereby to use them as witnesses, when they are in effect both judge and pairtie; 2°, in so far as the pannalls are indyted for robborie, the Shereff is not judge competent as to that poynt, the samen being one of the four pleas of the Croune. Whereunto it was answred, that the Shereff is a most competent judge in the cryme of theft, even altho the pairties doe not concurr, as appears plainlie by the dayly practise of this natione, seeing that the public must be vindicated, and the Fiscall cannot lose his right for their negligence; but, furder, the designe of the concurrence of the pairties is onlie as the pannalls procurator himself confess, that they be not witnesses, which we pass from; as to the 2nd, that he is not judge in robborie; it is true, robberie in a strict sence is one of the pleas of the Croune; but here, where we insist against them as being guiltie of masterfull bangstrie, it is not taken in the sence nor meaning of that law, which makes it a plea of the Croune. To which it is replyed for the pannalls, that the defence stands good, notwithstanding of the answer, for it is not fitt to goe over the bellie of

the comone law : and the practise that hath been hitherto observed, and opinione of those who have learnedlie treat on that subject, as is evident in the twelfth title of the jurisdictione of Shirriffs in criminalls, where it is expressly declaired, that, unless the thieff be taken with the fang, he cannot pursue be way of indytement without concurse of the privat pairtie ; and as the Fiscall got informatione of the crimes, and of the particular names of the persones on whom the same was acted, so if he had not *dolose* omitted them, he might have inserted them in his libell, or otherwayes pursued them, by way of summonds, which made the Shirreff ane competent judge ; 2^do^, the former answers is opponed, and robborie in the ueric plaine sence, and without any stretch of the word, is a plea of the Croune.

It is answered as to the libell denying the haill circumstances, articles, and qualificationes thereof, as to M'Phersone and Gordone, two of the pannalls :—The libell is nowayes relevant, as the samen is founded upon verie manie of the Acts of Parliament libelled, which have no coherence, nor contingence, with the pretended crymes, and many of them are old and obsolute laws, and are now fallen in desuetude ; and the Act of Parliament Ja. 6th, par. 6, cap. 75, does onlie relate to rebells and those that are at the King's horne ; and the Act par. 7, cap. 112, relates only to thift comitted by clanns of thieves, whereby persones damnified by them are impowered to apprehend, slay, or arrest their bodies or goods of the persones offending against them, or anie other of the same clan, ay and while their skaith be redressed ; and Par. ij., cap. 82, is exactlie alike with the first Act, which concernes onlie slayers of horse, &c. Par. 8, cap. 5, is anent fishing upon the rivers of Tweed and Annan, and the Act Parliament 12, Ja. ii., cap. 53, is onlie anent reaving and robborie, of which the Shirreff is not judge competent ; and Par. 1st, Ja. i., par. 5, is ane old law, and, albeit contravened, does not infer the conclusione of the indytement libelled. And as to the Act anent the Egyptians, Par. 20, Ja. 6, cap. 13, doth not att all reach the pannalls, because these comonlie called Egyptians, against whom the forsaid Act mainlie levells, are onlie interpret to be idle beggars, blakeing their faces, fortune-tellers, cheating of the people by waine superstitiones, by professing knowledge of charming, tellers of wirds, which is clearlie explained to be the inseperable attributes of those called Egyptians, particularlie Par. 6, Ja. 6, cap. 74, and is farther cleared upon M'Kenzie's observationes upon the Act lybelled upon against the pannalls ; and the indytement does nowayes subsume in

the terms of those qualifications before they can be reput or knoune to be Egyptians ; 2°, the libel is irelevant in so far as the samen is generall in many of the particulars libelled, not condescending upon particular moneths, but hath ane congestione and heap of years, which the pursuer ought to be more speciall in, that the pannalls may not be precluded from their laufull defens ; and ther are so many blanks, both of names and designationes of persones alleaged injured, and places where they dwell, that the pursuer ought to have condescended, for the pannalls have very good ground to alledge that ther is no such persones living in *rerum natura*, both which are so inconsistent with the nature of a criminall indytement, whereby poor innocents may loose their lives, as that it is both unchristian and unnaturall to put them to ane inquest by vertue thereof. To which it is answered :—That in so farr as its alledged that the Acts of Parliament cited in the indytement does nowayes meett any of the crymes libelled, the samen are all of them opponed, and its foolishness to alledge that they are in desuetude, unless the clear law, takeing of the same were produced, being that the saids lawes are a brason wall against which all attacks are in waine, and as ane Hercules pillor beyond which none can goe, untill the samen be taken of, as said is ; but its very well knoune that ther is nothing in desuetude in punishing of thieves and knaves, which the law has always taken care of to prosecut to the outmost. As to the objectione against the Act of Parliament 13, Ja. 6, par. 20, intituled Act anent the Egiptians, the same is so clear, that they being holden and repute to be Egiptians, and our lawiors opinion thereon, particularlie M'Kenzie in his observationes on the same, sayes that our law allowes such as calls themselves Egiptians should be punished by virtue of the said Act, it is waine to plead further thereupon ; for, after all, the procurator for the pannalls must not think, by making of names or words, to change things, seeing that at last it will be found that there can be no waile had to cover them from justice : therfor craives that the forsaids two Brounes, with M'Pherson and Gordone, may pass the tryall of ane inquest. It is answered as to the Brounes, craived by the Procurator-Phiscall to be tryed with the other two pannalls by the Laird of Grant's procurators, that they shall not pass under the knowledge of ane inquest in this proces, and appealls to the Sherriff's interlocutor on the dispute anent the replegiatione, and to the protestatione made, craving the said replegiatione may be admitted ; and the Acts of Parliament formerly cited are opponed in the defence, which

are nowayes taken of by the reply, for the law expresslie determines and defines what is understood by Egiptians, and the pursuers' procurators have made no answer as to the generalitie of the libell.

The Shirreff Deput having considered the indytement against the pannalls as Egiptians and wagabonds, and Grant's offer to repledge for the two Brownes, as pretending they are his tennants or servants, sustains himself judge, notwithstanding of the offer to repledge in respect of the answer thereto, as being knowne habit and reput wagabonds, soroners, and Egiptians, and repells all the rest of the defenses and replyes, in respect of the answer and duplyes (exeept that of robboric, which he does not sustain himself judge in), and finds the libell relevant as to the rest of the articles, of being knowne habit and reput to be Egiptians and wagabonds, and keeping the mercats in their ordinarie manner of theiving and purse-cutting, or guilty of the rest of the crimes of thift, masterfull bangstrie, and oppressione, to inferr the paines libelled, and admitts the same to the knowledge of ane assyse. NICOLAS DUNBAR, Dept.

Banff, 8 *Nov.*, 1700. *Castlefield, deput, present ; pairties present.*

Compiered Grant's procurators forsaid, and protested against the above interlocuitor, and craived the benefit of the 29 Act of King James 6, ij. par., intituled ane Act of Annexatione anent the privilege given to the Lords of Regalitie anent replegiatione ; whereunto it was answred by the Fiscall, that the nature of the replegiatione itself is mistaken, being that the pannalls are conveened as notorious Egiptians and wagabonds, so that to offer or protest against the forsaid interloquitor, being that the same is so full upon the forsaid head of wagabondrie, is clearlie against the indytement ; and it is very weell knoune, that before this time Grant was very weell content to renunce all other jurisdictione, and become willingly enacted in the Shirreff Court books of Banff, to present Peter Brounc one of the pannalls, whom he now offers to repledge ; and therefor the forsaid protestatione is most groundless. Answered by the Laird of Grant's procurators, that the narration above written cannot be admitted against replegiation, in respect that, altho beall had been offered to present the pannall befor the Sherriff of Banff to underly the law, yet always denying

the samen, the Laird of Grant, as lord of the regality of Grant, for maintaining his Majesties concession, as a privilege of his regality, by his charter of erectione, doth onlie craive Patrick and Donald Brouns to be repledged for maintaining the privilege of the said regalitie, and for judging of the saids pannalls by the bond of culriach, conforme to order of law, against which the Fiscall protested, and opponed the former answer, and that the forsaid interloquitor might stand in full force, and the forsaid protestatione rejected.

Assisers Names.

William Grant of Creichie	Allexr. Grant of Rudrie
Allexr. Sutherland of Kilminnity	Allexr. Grant of Boginduy
John Innes, elder, of Edingeith	John Hamilton in Cranno
Charles Gordon of Glengerrack	William Stenart in Drum
Walter Grant of Arindillie	James Milne, at Milne of Towie

John Gordone of Davidstone
James Duff of Crombie
James Gordone, elder, of Ardmellie
George Gordone of Muirack
John Gordone of Drumwhindle.

The above Assise being received and sworne, ther wes no objectione made against them, upon which they were admitted.

The Fiscall craves that the indytement may be put to a probatione: and, further, craives the pannalls may be heard on the first article of the indytement, to witt, if they can rehearse the Lord's Prayer, the Belieff, and Ten Commands.

To which it is ansred by John Cuthbert, that it cannot be allowed, because it does not inferr a capitall conclusione.

The Shirreff ordains the pannalls (for the satisfactione of the Assisers) to rehearse the Lord's Prayer.

The Fiscall insists that the indytement may be put to a probatione, and for proving thereof, adduces the witnesses afternamed, who, being sworne and purged, were receaved, and no objectione against them, they deponed in manner following, viz.:—

Compeired John Cruikshank, in Auchmades, aged 30, married man, who, being solemnly sworne purged of partiall councile, interrogat, deponed that he heard all the pannalls to be holden repute and knoune to be Egiptians, except James Gordone, who wes not with them till of late;

that he married Peter Broune's sister about two years ago, since which tyme he has frequented their company, and past under that notione; and that he hes seen them ordinarly in armes, and two, three togither, and sometymes more, in mereats; and that he heard them speak a language, which he understood not, and which wes not the Irish tongue; and deponed that they are of *pessimae famae* for stealling and reecepting of stolne goods, and that Peter Broune wes called the captain of that band. Deponed that he heard they went out of this shyre to severall places, but knows not their busines, and that he hes seen 7 or 8 men at one tyme going out of Peter Broune's house in Mulben, foreby women, and depones he knowes nothing of their marriage with their pretended wifes. Deponed that, as to the breaking of the Masters of Towiebeg's house, he heard first that it wes the Highlanders, and therafter heard that it wes the pannalls; and this is the truth, as he shall answer to God. J. Cruikshank.

The said witness being farther interrogat whether or not they keeped this shyre after they were sumoned to ane Justiciary Court in December last, deponed that he heard Peter Broune and M'Pherson to be sumoned, and the nixt tyme he saw M'Phersone was at Cromdall.

J. Cruikshank.

The Assisers craving Mr. John Scot, minister at Diple, to be examined upon what wes contained in the libell, and that ther were payment offered him for what skaith he sustained in manner libelled, deponed that at St. Ruffus' Fair, wes a year, ther wes 40 punds stolne from him; and he going in pursuit of the taker therof, at Couper Milne's tent, he wes interrupted by Peter Broun, who took him by the breast, while the woman who tooke the money threw herself on her face in the floor, and (as he heard) delivered to the woman that keeped the tent ane black purse, such as his wes, and which may be yet proven. But immediately therafter, Peter Broune knowing the money was conveyed of, came civilie and craived pardon, and offered the woman should be dackered, and made a sham kind of daekering after the money wes gone, and that this day James Grant of Elcheis offered repayment of the 40 libs. if she should not appeare against Peter Broune at this tyme; and this is truth, as he shall answer to God. J. Scott.

Compeared Peter Baird, servitor to young Durne, aged 24 or thereby, unmarried, purged, *ut supra* interrogat, depones that he heard the pannalls to be knoune and reput Egiptians, and of which Peter Broune to be

the captain, and that he has seen 7 or 8 men of them togither, but he did not see James Gordon with the rest till of late; that he married Peter Broune's sister about two years ago. Deponed that Peter Broune has gotten money frequently from Isobell Gall, who wes not married with him as he believed, and that he got money sometyms for playing on the wiol, and knew no other way of his liveing; and this is truth, as he shall answer to God. And that once he knew him to be in Grant's regiment, and that he does not know that he got money from any other of the crew except Gall. PATRICK BAIRD.

Compiered John Shand, in Maislie, aged 40 or therby, married, purged *ut supra* and interrogat, deponed with John Cruikshank *in omnibus*, with this additione, that at St. Ruffus' Fair wes nyne years, ther came three women and took possessione of his kill, and he being at work he sent word to his wife to put them off; but they would not, and told that Peter Broune was coming to take up quarters with them; and that he came and stayed ther with his company for a moneth, and took nothing but peats from him; and that ther wes sixteen of them in number; and that Peter Broune went sometymes to Elchies, and played on the wiol; and deponed that they coft milk and cheese with their owne money, and no more than ane leg of mutton, which his wife saw them buy; and this is the truth, as he shall answer to God; and knowes not that M'Pherson wes ther, but that he wes one night in the house at that tyme, and drunk with the rest, and danced all night; and depones that the door wes made open, but knowes not what way; and depones that they were sometymes in Jocksleyes in kills ther, but knowes not how many of them were ther, nor how long they stayed. JOHN SCHAND.

Compiered Lachlan M'Pherson in Delmanny, aged 24 or therby, married, purged, *ut supra*, interrogat, deponed that he heard them to be reput and knoune Egiptians, and that he wes present when the chist wes sealled, but the sealls was not rufled, but he heard that they had taken out the back of the ehist, and putt it in again; and that they had a language peculiar to themselves that he did not understand; and that he heard Peter Broune to be called the captain of the rest; and that he heard Isobell Gall would have been sent off and come home weell loaden with money; and that he hes seen sometymes six and sometymes more in armes; and this is the truth, as he shall answer to God.

LACH. M'PHERSON.

Compiered Peter Reid, tacksman of the excise, aged 36, unmarried, purged *ut supra*, interrogat, deponed that upon the ij of September, 1698, he happened to be at Kieth, and saw about the number of twenty-seavine men, in armes, with a piper; and as he heard Peter Brounе was on the head of them, and M'Pherson in the rier, it being on the Saturday after St. Ruffus' Fair; and now depones he knew Peter Broune wes on their head, and that James Robertsone told him that they were these called the Egiptians; he being then a stranger, knew nothing but what wes told him, but now nowes them to be habit and reput such; and this is the truth, as he shall answer to God. PAT. REID.

Compiered Robert Cuming, of [ ], aged 50, married, purged *ut supra*, interrogat, deponed that he hes heard the pannalls knowne and reput to be Egiptians, and that he heard the women that followed them speaking a language that wes not Irish, and did not understand it; and this is the truth, as he shall answer to God. R. COMYING.

Compiered John Fraser, in Cuperhill, aged 30, married, purged *ut supra*, interrogat, deponed that he hes heard them to be knoune and reput Egiptians, and that he hes seen seven or eight of them in armes, and that he hes seen them in Hillockhead; and one day they being in Kieth, and as they went home to Hillockhead, ther came a boy to him and told him that his cott was broken; so he went up to see, and fand it wes so; and after telling of his sheep, he missed one; so the next morning a woman neer by told him that the Egiptians had taken his sheep; and he went and daikered their house, and could not find it, but saw some holes therin that did not look weell; and after direct inquirie, he went to the corne yeard, and ther found some of the Egiptians with bloodie pocks; his spainiall dog being with him, found the intralls of the wedder, near to that place, in the muir. At last Alexr. Phyn of Achanasie, under whom they resided at that tyme, came to the said John Fraser, and comuned with him anent payment of his wedder, and did accordinglie pay him for the same, or at least promised, and further, told him that he had granted the favor of that house to Patrick Broune, and declaired unless he were paid they should not reside any longer in that place; but declairs that he did not see any of the pannalls ther; and this is truth, as he shall answer to God. J. FRASER.

Compiered Archbald Grant, in Maynes, of Achluncart, aged 30 years, unmarried, purged *ut supra*, interrogat, deponed that he heard the pan-

nalls to be knoune and reput Egiptians; and that they have a language peculiar to themselves; and that he hes seen four, and five, and more, in armes, in mercats; and that some Brounes and others came and took possessione of some pairt of Achluncart; and that he dispossessed them; and that he heard a rumor of Patrick Broune having Orton's cloak; and that ther wes a man in Achluncart that had a bile, whom M'Phersone took in hand to cure, and took away two mairs from the man, and pretendid ther wes a pactione betwixt the man and him, and keeped one of the mairs, and the deponent took the other from him; and this is truth, as he shall answer to God. ARCH. GRANT.

Compeared George Ogilvie, in Kieth, aged 36, married, purged *ut supra*, interrogat, deponed that he knowes them to be reput as Egiptians, and that he hes seen them in mercats, and has seen boyes in mercats that were called their servants; and that he hes seen six and seven of the Egiptians togither; and that he heard there were six, seven, and eight men in armes, keping the mercat, and that they had a particular language, which wes not Irish, and which he could not understand; and that they are of *malae famae;* and this is truth, as he shall answer to God.

G. OGILVIE.

Compiered William Robertsone, in Kieth, aged 50, married, purged *ut supra*, interrogat, deponed that they are holden and reput as Egiptians; and that he hes seen them in bands; and that he hes heard the women that followed the pannalls speak a particular language, which he knowes not; and that he seed about twelve men, with a piper, come in to Kieth, at St. Ruffus' Fair was two year, whereof the pannalls were a pairt; and that they are of *malae famae;* and that M'Phersone came in to his house, and spilt his ale, and stobbed the bed, seeking the deponent; and that he wes forced to flie to Kinminnitie, who is one of the assisers, who knowes the truth, for refuge; for whom Kinminnitie purchased a protectione from my Lord Seafield, and a warrant to apprehend M'Phersone; and this is the truth, as he shall answer to God. WM. ROBEYSON

Compeired Patrick Grant, in Sutercroft, in Kieth, aged 64 or therby, married, purged *ut supra*, interrogat, deponed that he heard the pannalls allwayes called Egyptians: and that he hes seen ordinarly five and six men together in armes, whereof Peter Broune and M'Phersone were a pairt; and that the women that followed the pannalls and they conversed in a particular language, which he knew not; and that at St. Ruffus'

Fair last, the pannalls were in his house, but knowes not if they were telling money ther; and that they were in Jocksleyes; and that he hes seen little boyes with them, that were thought to be their purse-cutters; and that the pannalls are said to be of *mulae famae;* and that he heard that Edintore gott his money againe; and that, contrair to his desire, James M'Phersone took possessione of his chamber, and wes forced to put others out of their room for them; and this is truth, as he shall answer to God. Pa. Baird. [Grant.]

Compiered Peter Duncan, in Pitlurg, married man, purged *ut supra*, interrogat, deponed that he bought a white plaid, and payed therfor, and two of James M'Phersone's men came to his house and broke up his pantry door, and took out the plaide; and James M'Phersone came therafter and saw that his house wes broken, and alledged the deponent had his goods, and threatned to carry him to the toune of Elgine, and to putt him in the pitt ther: and a while therafter he came and took the deponent, and carried him a good piece from his house, and then let him goe; and this is the truth, as he shall answer to God; and depones he cannot wreat. Nicolas Dunbar.

Compeared Allexr. Young, in Whiteley, aged 40, married, purged *ut supra*, interrogat, deponed that he knowes the pannalls to be called Egiptians, and that they had a language peculiar to themselves, and that they were still in armes, but knew not James Gordone to be one of their number till he was married about two or three years ago, and that with Peter Broun's sister; and that he was informed that James M'Phersone and Jonathan Grant stole his oxen, with some others, which he could prove if he were putt to it; and that James Robertsone, in the Maynes of Allanbuy, did search after the oxen, and that James M'Phersone threatned them for alledging that he wes one of the steallers, and came to his house with Peter Broune and severall others of their number, till they forced James Robertsone to give them ten dollars, which the deponent declairs James Robertsone was craiving from him as being injured upon his account; and that Peter Broune and James M'Phersone offered to tascall the oxen for two score of dollars; and this is the truth, as he shall answer to God. Allex. Young.

Compeired Allexander Phyne of Auchanasie, aged 40, married, purged as before. Interrogat, deponed that the pannals are habit and repute Egiptians, and that some took possessione of his land in Jocksleys, of

which the pannalls were none, and that the women who uses to follow the pannalls hes a particular langnage peculiar to themselves, and that James Robertsone told him that he wes forced to give them ten dollars, and saw himself many of them about the house, and that they are of *malae famae*, and that he payed John Fraser of Cuperhill the price of ane wedder stolne from him by that crew ; and this is truth, as he shall answer to God ; and that it wes at Peter Broune's desire that he gave them that house in Auchanasie, and in respect the deponent hes not his sight to wreatt, he hes given power to signe this for him. NICOLAS DUNBAR.

Compeared Thomas Milne in Jocksleyes, aged 30, married, purged *ut supra*, interrogat, deponed that the Egiptians (among whom were the pannals) took possessioume of his house, and stole his peats and kaill, and that sometymes they wer twentie in number, and stayed three or four dayes ther at one tyme, and forced his neighbours to give them some fire weshells, and that he did see them about James Robertsone's house drinking, and that he heard James Robertsone gave them money, but yet acknowledges that James Gordon wes not with the rest when they took possessione of his house, and that they are repute as Egiptians, and that they have a particular language among themselves onlie, and that he hes seen two or three little boyes with them sometymes : and this is the truth, as he shall answer to God, and depones he cannot wreat.

NICOLAS DUNBAR.

Compiered John Sellar in Jocksleyes, aged 20 or thereby, married, purged as before, interrogat, deponed that the pannals took ane kill at their oune hand, and that they feared their women, and that ther would have been sometimes sixteen, sometymes seventeen, and whiles more, and that they are all reput as Egiptians, and Peter Broune called their captain, and that he saw some little boyes with them, and that they had a particular language among themselves, and that they stole their peats, and that they were armed, and that they took their kaill, and missed sheep after they were gone, but knowes not if they did steal them ; and this is the truth, as he shall answer to God. JO. SELLER.

Compiered George Knight in Jocksleyes, aged 32, married, purged *ut supra*, interrogat, deponed *cum precedenti*, viz. Sellar, *in omnibus ;* and this is truth, as he shall answer to God, and depones he cannot wreat. NICOLAS DUNBAR, Dept.

Compeared Thomas Hosack in Jocksleys, aged 50, married, purged *ut*

supra, deponed, that the Egiptians took possessione of their kill in Jocksleyes, they being whiles of men and women about twenty-four in number, and that Peter Broune and James M'Phersone came sometymes ther, and also Donald Broune, and that they had a language peculiar to themselves, and that he heard they threatened James Robertsone, and that they took their fire weshell at their oune hand, and that they stole their peats and kaill, and knew no visible way of their living, and that they stayed sometymes a fourtnight, and that they are holden and oune themselves as Egiptians, and Peter Broune is called their captain: and this is the truth, as he shall answer to God, and depones he cannot wreat.

NICOLAS DUNBAR, Dept.

Compeared Peter Brouster in Auchanasie, aged 50, married, purged as before, interrogat, deponed that M'Phersone, Gordon, and Donald Broune haunted togither, and with others called Egiptians, and that some Brounes took possessione of their honses, and that there wes sometymes eight and nine of them togither: and this is truth, as he shall answer to God, and deponed he cannot wreat. NICOLAS DUNBAR.

Compeared Thomas Umphray, smith in Davidstone, aged 34, married, purged as before, interrogat, deponed that he knowes the pannalls to be repute Egiptians, and that he heard they had a particular language among themselves, and that when they were about him they stole his peats, and kaill sometymes, and that some of them were in armes, and that Peter Broune wes called the captain, and that he saw some litle boyes with them; and this is the truth, as he shall answer to God; and depones he cannot wreat. NICOLAS DUNBAR.

The Fiscall renunces any farder probatione. The Sheriff having considered the depositiones of the above witnesses adduced for proving of the indytement; remitts the same to the cognitione of the above Assyse, and ordaines them to be inclosed in ane roome by themselves, and to consider the probatione, and therupon to return their verdict. NICOLAS DUNBAR.

Banff, November 9, 1700. *Castlefield, deput, and pairties present.*

The Assyse having inclosed themselves in ane roume, and having considered the probatione, did this day returne their werdict, signed by James Gordone of Ardmellie, their chosen chancellor, and Allexander

Grant of Boginduy, their clerk, which being considered by the said Sherreff Deput, he deferred the sentence as to the two Brounes at this tyme; but he gave sentence against James M'Phersone and James Gordone, two of the pannalls, in manner underwritten, viz:—

Forsaemeikle, as you James M'Phersone and James Gordon, pannals, are found guilty by ane verdict of ane assyse, to be knoun, holden, and repute to be Egiptians and wagabonds, and oppressors of his Majesties frie lieges in ane bangstrie manner, and going up and doune the country armed, and keeping mercats in ane hostile manner, and that you are thieves, and recepters of thieves, and that you are of *pessimae famae*, Therefor, the Shirreff-Deput of Banff, and I in his name, adjudges and decernes you the saids James M'Phersone and James Gordon to be taken to the Cross of Banff, from the tolbooth thereof, where you now lye, and ther, upon ane gibbet to be erected, to be hanged by the neck to the death by the hand of the common executioner, upon Friday nixt, being the sixteenth day of November instant, being a publick weeklie mercat day, betwixt the houres of two and three in the afternoon, and in the meantyme declairs their heall moveable goods and gear to be escheat, and inbrought to the Fiscall for his majesties interest, and recommends this sentence to be seen put in execution by the magistrates of Banff.

NICOLAS DUNBAR.

And further the Shirreff deput ordains the three young rogues now in prison that, this day, their ears be cropt, publictlie scourged through the toune of Banff, and burut upon the cheek by the executioner, and banished the shyre for ever under the paine of death.

NICOLAS DUNBAR.

Banff, 21 *February*, 1701. *Castlefield, deput, present.*

The Shirreff having considered the verdict of the Assyse given in as to Peter and Donald Broun's present prisoners and pannalis within the tollboth of Banff, gives his sentance against them in mainer underwritten, viz.:—

Forasmuch as you, Peter and Donald Brouns, pannalls, are found guiltie by ane verdict of ane Assyse to be knowen, holden, and repute to be Egiptians and vagabonds, and oppressors of his Majestie's free lieges in ane bangstrie mainer, and going up and doun the countrey armed, and

keeping mereats, in ane hostile manner, and that you are theives and receptors of theives, and that you are of *pessimae famae*, therefore the Shirriff Depute of Banff, and I, in his name, deceirnes and adjudges you, the saids Peter and Donald Brouns, to be taken to the Gallow Hill of Banff, from the tollbooth therof, where yee now lye, and there upon ane gibbet to be hanged by the neck to the death by the hand of the comon executioner, upon the second day of Aprile nixt to come, betwixt the hours of two and three in the afternoon; and ordaines their haill moveable goods and geir to be escheate and inbrought to the Procurator Fiscall for his Majestie's use; and recomends this sentance to be seen put in execution by the Magistrates of Banff.

Nicolas Dunbar, Dept.

LIST OF GOODS
PLUNDERED FROM TENANTS
IN CROMAR.

1644–47.

LIST OF GOODS

PLUNDERED FROM TENANTS IN CROMAR.

Ane not of sik geir as is plundered be the Argill men out of the Laird of Drum his landis of Cromar, giffin be the tenentis, cottars, and grassmen of the said landis, upoun thair gryt aith sworne judiciallie, in ane fenced court, holden in Tarlen, upoun the fyft day of Julii, 1644 yeiris, be Alexr. Ross, in Miln of Coull, bailye of the saids lands, James Fyiff, notar publique, clark, Vm. Narne, officer, John Middeltoun, dempster, the Court lawfulli tensed and affirmed, &c.

Imprimis, Duncan Calder deponed (that forty and attour sik loyce as vas ordained him to pey be the gentillmen of the cuntrie) that thei had taken from him four meirs worth 100 lib.; secundlie, his oxin bein takin be them, and keiped untill he was forced to pey nyne merkis for them; and thirdly, thei took his cruik and ane barked hyd from him, worth aucht merkis; and lastlie, thei had himselff and his wyiff and band them lyik theiffs, and tuk his haill guds, with themselffs bound, to thair campe in Auchtercoull, until thei forced him to pey fourscoir twa merkis for his releiff and the releiff of his guidis, albeit he was ane old man of threscore and ten yeiris.

And John Gordon, in Coull, deponed that thei had takin from him ane meir worth fourtie lib., and ane horss quhilk cost him fyifte-twa merkis, and sex vedders vorth sex dolloris, with other small things in his houss, worth aucht lib.

And Vm. Ross, in Coull, deponed that thei had takin from him his haill scheip, and had to thair camp, and he was forced to pay fourtie merkis for them, and likevayss plundered his houss, and tuik sik as they could get, worth sex lib.

And Patrick Vischart deponed that thei did tak his ten oxin, and had to ther camp, and he payed nyne s. sterling for nyne of them, and the tent they slew, being worth twenty lib., and brak his doris, and abussed his houssis.

And Georg M'Come, ane puir grassman, deponed that thei did tak his scheip, and ane meir, and had to ther camp, untill he was forced to pay twentie-sex merkis for them, and did tak twa bands from him of twa hundred and ten merkis.

And Robert Bruce, grassman, deponed that thei did tak tway meirs from him, worth fourtie merkis.

And Elspet Buchan deponed that thei did tak hir horss from hir had to ther camp, until scho did pey ten merkis for him, and ane jarkin of lining, scho being bot ane puir vidow, &c. &c.

The haill loyce that the Laird of Drum, his men of Cromar, peyed to the Argill men, extended to sewintein hundreth merkis money, and fourtie tway bolls meill, quhilk was giffin them, and dulie peyed for, by and attour the un written plundering.

Ane roll of the losses sustained be the Laird Drum, his tenentis in Cromar, be quartering and utherwayes be Lieutenant Generall Leslie, his army, the sextein, seventein, and auchtein days of Merch, 1647, giffin up be thair aithis befor Mr. Andro Gray, minister at Coull, Alexr. Ross, in Milne of Coull, Patrik Durvard, in Myll of Auchtercoull.

Item, Thomas Fyiff, in Strathmoir, deponed that they spent to him during the said space, thrie bollis meil, worth aucth merkis the boll, half ane boll malt, at ten merkis the boll, twey bollis quhyt aits, worth aucht merkis the boll, inde . . . . . 30 libs.

And Johne Ross, in Vodseit, deponed that thei spent to him during the said space, sex firlots meill, at pryss forsaid, sex firlots of quhyt aits, ane firlot bear, and ane firlot malt, at pryss forsaid, and ane steir, worth ten merkis, inde . . . . . 26 lib.

And Patrik Vischart deponed that thei spent to him during the said space, four bollis quhyt aits, ane boll meill, twey bolls malt, half ane boll bear, ane vedder, worth fywe merkis, and ane horss, vorth

fourtie lib., plundered be ane Thomas King, in Sir Mungo Murray's troup, inde . . . . . 81 lib. 6s. 8d.

And Johne Walker, in Toinley, deponed that thei spent to him during the said space, thrie bolls quhyt aits, ane boll meill, sex pek malt, at pryssis foirsaid, ane vedder, at fywe merkis, and plundered one plaid, worth aucht merkis, inde . . . . . 33 lib.

And Wm. Barrin, in Eistoun, deponed that thei spent to him during the said space, thretein bolls quhyt aits, four bolls meill, sex firlotts malt, at pryses foirsaid, inde . . . . . 100 libs. 13s. 4d.

And Arthur Fyiff, ther, deponed that thei spent to him sextein bolls quhyt aits, twey bolls bear, half ane boll meill, half ane boll malt, at pryses foirsaid, ane young kow, worth 10 lib., and plundered ane plaid, worth aucht merkis, inde . . . . . 120 lib.

And Johne Sandison, ther, deponed that thei spent to him during the said space fiftein bolls quhyt aits, half ane boll meill, twey bolls bear, twey steir, worth 16 lib., and plundered ane meir, vorth 20 merkis, inde . . . . . 125 libs. 6s. 8d.

And Georg Measone, ther, depoued that thei spent to him during the said space, aucht bolls quhyt aits, sex firlotts meill, and half ane boll bear, at prysses foirsaid, inde . . . . . 54 lib.

Suma . . . . 570 lib. 6s. 8d.

Ane Roll of the losses susteined be the Laird Drum his tenentis in Cromar, be quartering and utherwayis, be Generall Major Midiltoun his army in Maij and Junij last, 1647 yeris, giffin up in fensed Courtis upon thair oathis.

In the first, Isabel Elphingstoun, relict of umquhill Allan Og, in Leyis, deponed, be werteu of hir aith, that scho had takin from hir sex firlotis bear to thir horsis, worth ten merkis the boll, half ane boll meill, at aucht merkis the boll, half ane boll of malt, at ten merkis the boll, ane young kow worth ten lib., thrie lambes worth four lib., mair in the said moneth of Junij, twey lambes pryss forsaid, thrie pekis meill pryss forsaid, thretein s. four d. for aill, thrie quarter of cheis, twente sex s. aucht d., mair plundered and takin from her man, Alexr. Midiltoun, sex wedders at four lib. the peice, inde . . . . 59 lib. 13s. 4d.

Item, John M'Comy, in Ruthven, deponed that he had plundered and takin, from the tym forsaid, sex firlotis meill, ane firlot malt, and ane lamb, pryss forsaid, and twey merkis for aill, inde . . . 12 lib. 6s. 8d.

And Georg M'Comy, in Ruthven, deponed, that he had qwortered with him at the tym forsaid fywe hors and men four nicht, quhilk spent to him ane firlot malt, ane firlot meill, pryss forsaid, ane quarter of beiff, worth fywe lib., ane boll gryt aitis, aucht merkis, and had quortered to him fywe men, who spent to him twey pekis meill, pryss forsaid, ane merk for aill, and ane merk for other vivers, inde . . . 15 lib. 6s. 8d.

And William Dukison deponed that he had quartered with him fywe men and hors four nicht, quhilk spent to him ane firlot malt, ane firlot meill, pryss forsaid, ane quarter beiff, worth four lib., ane merk for fisches, half ane boll aitis, four merkis, ane firlot beer, twey merkis and ane half, and to ther futman ane uther nicht, ane pek meill, ane quarter of cheis, pryss forsaid, and ane merk for aill, inde, . . . 14 lib. 12s.

Suma, . . . 101 lib. 18s. 8d.

Ane Roll of the losses done to the Laird Drum his tenetis in Cromar be Generall Major Midiltoun's army, at ther being in Cromar the last of August till the 12 of Sepr, 1647.

Ruthvenis.

Imprimis, Georg Edward deponed, that he had fywe horsmen during the spac of twelf dayis, who spent thrie bollis aitis, at aucht merkis the boll, sex firlotis meill, aucht lib., half ane boll bear, fywe lib., ane dollar for twey nichts thei war in Braemar, inde . . 30 lib. 4s. 8d.

And Alexr. Ros, ther, deponed that he gaiff them thrie bollis aitis, worth sixtein lib., himself being absent, and wis fre of forder quarter, inde . . . . . 16 lb.

And William Ros, ther, deponed that he had fywe men and hors during the said spac, who spent thrie bollis aitis, at pryss forsaid, ane boll meill, fywe merkis for aill, twey wedderis, ten merkis, inde . . 32 lib.

And Georg M'Comy deponed that he gaiff them during the said spac twa bollis aitis, thrie firlotes bear, half ane boll meill, ane firlot malt, at pryss forsaid, ane merk for aill, forty twey s. for their quarteris when thei war in Bramar, ane quarter butter 20s., half ane steau of cheis 20s., twey merkis for beiff, inde . . . . . 26 lib. 2s.

And Isobell Elphinstoun deponed, that scho gaiff them during the said spac four bollis quhyt aitis, ane boll meill, ane boll malt, prysis forsaid, and thrie dolloris for beiff and mutton to them, inde, . 41 lib. 2s. 8d.

And Patrik Mile deponed, that thei spent to him during the said spac sewin pekis gry aitis, ane firlot meill at pryss forsaid, and fywe merkis for beiff, mutton, and aill, inde . . . . . 7 lib.

And William Dukison deponed, that thei spent to him during the said spaee ane firlot meill, sewin pekis gryt aitis at pryss forsaid, and fywe merkis for aill, beiff, and kitchin, inde . . . . . 7 lib.

And Beatrix Vischert deponed, that thei spent to her during the said spac half ane boll gryt aitis, ane firlot meill, and sex merkis and ane half for beiff, mutton, and aill, and twelff threiffis gryt aitis eittin be theiss that cam to the [ ] esteimed at thrie bolls aitis, pryss forsaid inde . . . , . . . , ... 26 lib.

Suma, ... 185 lib. 18s. 4d.

The roll of the quartering and loses susteined be the said Laird Drum, his tenentis, be Colonell Herre Barclay, his troup, in October, 1647.

Item, Duncan Calder, in Coull, deponed upon his conscience, that he had quarterd with him of the said troup, nyne men and aucht hors, from the second of the said moneth of October untill the aucht day off the said moneth, about twelf houris, and gaiff ilk hors dailie ane pek gryt aitis, at aucht merkis the boll, and that ilk manis manteinence extraordinar, and stray was worth daylie auchtein s., inde . 49 lib. 6s. 8d.

And William Ros, ther, deponed that he had quartered with him of the said troup, during the said space, four men and fywe hors, ilk hors getting ane pek quhyt aitis ilk day, and ilk manis manteinance extraordinar and stra was worth auchtein s., inde . . 26 lib. 6s. 8d.

And Patrik Vischart, ther deponed that he had qnartered with him of the said troup, during the said spac, thrie men and twey hors, ilk hors getting ane pek quhyt aitis daylie, at the pryss forsaid, and ilk manis manteinance extraordinar and stray, worth auchtein s., and siklyk plundered ane plaid from him, worth four lib., inde . . 16 lib. 16s. 8d.

And Francis Ros, in Lochmans, deponed that he had quartered of the said troup fywe man and fywe hors, during the said spac, ilk hors getting ane pek quhyt aitis, at pryss forsaid, and ilk man for his manteinence extraordinar and stra, auchtein s. ilk day, inde . . 30 lib. 16s. 8d.

And Alexr. Ros, in Lochmans, deponed that he had quartered with him, at the said tyme, fywe men and fywe hors, quhilk gat ane pek of quhyt aitis daylie, ilk hors and ilk man for manteinance extraordinar and stra, worth auchtein s., inde . . . . 30 lib. 16s. 8d.

And Johne Randell ther deponed that [he] had with him, during the said space, fywe men and fywe hors, ilk hors getting ane pek quhyt aitis ilk day, and ilk man for manteinance extraordinar and stray, worth auchtein s., inde . . . . . 30 lib. 16s. 8d.

And Alexr. Ros, in Steaniford, deponed that he had with him of the said troup, during the said spac, nyne men and nyne hors for the first twey dayes, and fywe men and fywe hors fywe dayes, ilk hors gettin ane pek aitis in the day, and ilk man for his manteinance extraordinar and stray, worth 18s., inde . . . . . 40 lib. 14s.

Suma, ... 225 lib 12s.

We, Mr. Alexander Gordon, minister at Coldstan and Logie, and Mr. Andro Gray, minister of Coull, do testifie that the Lard Drum his tenantis within the parochins of Coull, Tarlen, and Logie, hes susteinit gryt losses sen the tent of Merch, 1647, be frie quartering both of fut and hors, and be peyment of mony uther dewes to the captan of the watch, and the garisons of Lochkeandor and Kildromi; bot for ewerie ones particular loss we tuik thair oathis, quhilk particular losses ar set doun in the former compt, except quhat thai haif peyed to the watch and the garison of the loch at Auchtercoul, the fourtein of December, 1647.

Mr. And. Gray, Minister at Coull.

Mr. A. Gordon,
Minister at Coldstan and Logie.

We, John Smith and John Couts, elder, within the parochin of Logie, and William Reid, in Newmill, and Alexr. Gordon of Kincraigie, elder, within the parochin of Tarlen, and Mr. Robert Coutts, and Alexr. Ross.

and John Durward, elder, of the parochin of Coull, do testifie be thir presentis, that the forsaids compts of quarterings susteined be the Laird of Drum, his tenentis, within the said thrie parochis, is trew and off veritie, and that everie particular person in the former compt haiff deponed ther oath of veritie at the upgiving of the samen. In witness quhereof, we haiff subscrvit ther presentis with our hands, at Tarlen, the fourtein day off Februarii, jai vi^{c} and fourtie-aucht yeiris.

Jo^{n} Smith, elder, at Logie
Jo^{n} Couttis, elder, at Logie

Alex^{r} Gordoun, of Kincragey, elder, at Tarlen
M^{r} R. Couttis, elder, at Coull
Alex^{r} Ross, elder, at Coull

We, W^{m} Reid, in Newmiln, elder, in Tarlen, and John Durvard, elder, in Coull, with our hands at the pen led be the nottar undervritten at our handis, because we can not vreat our selffis

Ita est Jacobus Frisser, etc.

PROTESTATION

BY

SIR ALEXANDER IRVINE OF DRUM

AGAINST THE

PRESBYTERY OF ABERDEEN.

1652.

PROTESTATION

BY

SIR ALEXANDER IRVINE OF DRUM

AGAINST

THE PRESBYTERY OF ABERDEEN.

Wheras, the presbetry of Abirdene hath latelie ordained to excommunicat me, Sir Alexander Irwing of Drum, for hawing appealled frome thair judicatorie to Collonell Owertoune, and for some fals and forged slanderis, invented against me by some of thair owne number, to mak way wnto thair insatiabill ambitione, and other perverss endis, all which matters they dar not put to a tryell before any indifferent judge, or prudent arbiters ; bot they themselffs, in a most insolent and heidstrong way, will be both judge and pairteis, whereby they have not onlie disdained to acknowledge the authoritie of Colonell Owertoun, commander in cheiff within the presbitry of Abirdeen, who did accept the appellatione ; but also they haue reiected all other fair meanes and accommodatione which I had offered, and most arrogantlie contemned the ordoris of Lieutenant-Generall Monk, dischairging all ministers and kirk officiers undir highest perril to impose any oathe or covenant upoun any persone whatsoeuer without particular warrand from the comoune wealth of England. Thairfore that no goode Christaine may tak any stande at thair sentence of excommunicatione against me, following thair owne ensample, who hawe often protested bothe against Kirk and State, I doe protest for the nullitie of thair particulare presbetries sentence, and that it may nocht preiudge me nether befor God nor man, neither in spirituall nor temporall matters. First, in regard it hath proceided frome men mor full of fyery zeall, to aduance thair awn ambitious and wordlie interests

than the gospell of Jesus Christ, as may appeir by their maney practeises, and particularlie by their urgeing me this twelve moneth bygone with threatening of excommunicatione, and of temporall losses, to swear and subscryue thair solemn league and covenant, as gif it had beene a matter of saluatione for me to sweare to establische by armes Presbiteriane governament in England; and yet, in the meantyme, they would neuer satisfie the reasones which did hinder me in consciens to obey thame, bot with implicit faithe, the whiche they condemne in Papists, they would hawe me, against the light of my knowledge, to forsweare myself; and which yet shewes more thair implacable malice and perverse policie, they did urge with the lyk threatenings my wyfe, and thrie young maids, my dochters, whoe, for thair aige and sexe, are not capable of such politick and armed theologie. Secundlie, thay did malitiouslie endeware to mak me to be esteimed a Papist, which is thair ordinarie course, whereby they mak the more colourable way and fairer pretext to satisfie their restles ambitione, and execut their rage upon all who will not implicitlie obey thaime and idolatrize all thair craftie inventionis; and when they had tried many wayes, bot in vaine, to mak probable this their vaine imaginatione, they at lenthe, when all other meanes failed thame, by ane unparalelled barbaritie, enforced my serwandis to reweall upon oathe what they sawe, herd, or knewe done within my house, beyond which no Turkische inquisitione could pase; and wheras, at last, to put ane end to their cruell inventiones against me and my family, I offered to cleir myself frome being a Papist before the moderator of the presbytry, and any two or thrie witnesses he wold name or bring with him (so that my doing this micht not wrong my appeal to Colonell Owertoune); yet this offer was absolutelie rejected, unles I wald rescind my appeall and submit myselff totallie their judicatorie, which was to sweare to all their inventionis, which neither in consciens nor honor I could doe; wherby it may be seene what great reasone I had to appeall frome suche fals accusers and partiall judges, wherein I did imitat Sanct Paull, who appealed from the crueltie of the Phariseis unto Cæsare, ane ciuill judge, althoughe no Christiane. Thirdlie, the principall ringleaders of the said presbytery of Abirdene did protest and appeall from the late nationall assemblie, whereby, as schismatiks, they thameselffis ought to be censured, and so have no power to censure me; bot suche men as ar so arroganthe ambitious that they will giff no obedience to their superiors, either ciuill

or ecclesiastik, and yet they will, lyk popes, exact ane infallible obedience frome others, albeit they be most fallible and disobedient in thameselffis. Fourthlie, in respect it is the opinione and the receaued judgment of the best Protestant reformed kirk, that no excommunicatione can be valid without the consent of a visibile congregatione, which consent I am able to qualifie you want in your injust sentence against me; quherfore I desyre all good Christianes not to be scandalized with this barbarous actione. Lastlie, I do heir now, as I hawe done formerly by my procurator, George Jhonstone, at the presbyteriall meeting at Drummock, in the presens of the godlie people heir present, seperat my selff frome the discipline of Presbytrie, in particular that of Abirdene, as a humane inventione that is destructive to the ciuill peace of Christianes, and intends, be the help of God, to walk and liwe in sick an Christiane way and gospell, as is conforme to the diwyne will in the sacred word, and nocht preiudiciall to the peace of Great Britanes commone wealth, of whiche I ame a member. For the above said and other reasones, reserwed to dew tyme and place, I doe protest for the nullitie of your sentence, and that all the ewill consequents of it may fall upon your selffis, for your injust and cruell proceidings against me; and now againe I summond you maister [ ], pronouncer of the said sentence, and the rest of the presbytery, to compeir before Colonell Owertoun, at his returne to Abirdene, or any other judge whoe sall be appointted by the Englische commissioners, to heir youre selffis censured, and condignelie punisched for your oppen contempt of their authoritie, for youre fals slanders raised against me, and for your cruell proceidings and erring sentence of excommunicatione, and for your usurpation of ciuill authoritie, being discharged be the parliament of the commoune wealth of England and thair commissioneris, be oppen proclamatione, in all the cheiff burghes in this natione, and particularlie in Abirdeen.

THE GORDON LETTERS.

THE GORDON LETTERS.

I. Queen Mary to the Earl of Huntly.

Traist Cousing and Counsalour, we greet you weill, knawing your mynd and will towartis ws, and vnderstanding the proceidings of the rest of our nobilite in Scotland, doubtis nocht bot ye ar participant of the same, as be the Lard of Skirlingis report quha come to ws thairfra the v of this instant, hes shawin ws at lenth thairof, and incontinent eftir his arreving, we despeschit ane of our servandis with deligence towartis our sister the Quene, schawing her gif the rigorous proceiding of our rebellis aganis our faythful subiectis war nocht stayit in dew tyme, quhat inconvenientis mycht follow thairon, quhais ansser we await to cum haistely, hoipand it wil be gud, and sall mak you participant thairof witht quhat vthir newis occurris.

Sen the quhilk dispesche we haif ressawit ane vryting of our said sister, of hir awin hand, afferming to performe the promais scho maid to ws be the Lord Hereis, the quhilk we doubt nocht hie hes maid manifest to yow alreddy, praying yow, gif ther be ony appearance that the saidis rebellis will on na wayis staye thair said proceidingis, that ye spair nocht with your assistance to the rest of our nobilite to performe that quhilk is alreddy interprysit agains thame, refering the rest to this said beirare, quha will schaw you of our mynd mair amply quhome ye sall credeit, swa committis yow to the protectioun of God. Off Bowtoune, the x of August, 1568.—Je nose ecrire car toutes mes lettres out estay prises mays se porteur vous contera tout au long ie loue Dieu que vous des mantes nos enemis qui se vant-oyent autant devotre inconstance que

anes fayt preuve ou contrayre E je nen resoys peude plesir en recompenes, vous m aures pour jamait.[1]

Votre bien bonne Cousine,
E meillure amyi, MARIE R.

To oure traist Cousing and Counsalour,
The Erle of Huntley.
Ressauit the of September, at Huntlye,
1568.

II. QUEEN MARY to the EARL OF HUNTLY.

Traist Cousing and Counsalour, we greit yow weill, hering of youre defait, is in greit pane to vnderstand the trowth thairof, and becaus we haif hard that our vrytingis hes bene tane be the waye, quhilk we send yow laitly, will nocht wryt swa amply at this present as we wold haif done, but referris our mynd and newis to my Lord Hereis, quha will schaw you all at lenth, alwayis we haif gottin newis and twa vrytingis fra our sister the Quene, be our servand James Borthik, quhome we haif send to my Lord Hereis expressly to informe him of all oure affaires, with the copeis of the saidis letres In the quhilk, by syndry vthir heidis, hes writtin that thair is ane army of Frensche menn, aither on the se or ellis alreddy arrevit in Scotland, as we ar certefyt My Lord Deuk of Chattellerauld, is imbarkit alreddy, the quhilk we hoip be of verite; ye knaw your awin strenth, doing with the rest of our nobilite as ye and thay sall think necessare Referris the rest to the said Lord Hereis, and committis yow to the protectioun of God Off Bowtoun, the xxvij of August, 1658. Your richt gud Cousines and Frind,

MARIE R.

Ye schal hir al neues bi mi Lord Heris, for my leters is bin so oft tent that [.]

To our traist
Cousinge and
Counsalour,
The Erle of Huntly.

Ressauit the xi of Septem^r,
at Huntlye, 1568.

[1] This postscript and the fragment of one which remains at the Letter No. II. are in the handwriting of the Queen.

III. James VI. to the Earl of Huntly.

Goode Sonne, the occasionis of my sa lang remaining heir the haill narlde knauis Hou lang it sall be yett my fortoime, G the disposition of thir cuntrey men will limitate In the menetyme remain ye at the speculation of youre future ioye, and I pray you quhill my meiting with you at Edinburche (quhilke sal be als soone as I maye, thocht not sa soone as I ualde) truble me not with na mainer of requestis for youe Spanish lordis, for I haue bene sa euill usid at this tyme, as maitteris are na maire in that staite that thay uaire in at oure last pairting. The causis I remitt to meiting. Faireeill.

James R.

IV. James VI. to the Earl of Huntly.

Goode Sonne, according to my promeis in my last lettir, I sent a pairt of my opinion unto you tua dayes syne, with sum of youre auin friendis; and in respect of na ansoure yett, I send you heirwith the bearare hereof, with farther of my mynde Giff ye haue neuer hadd cause to pleine of my passion in youre particulaires, and gif nature (in a manner) adoptinly must move me to uishe youre weill mair nor other commoune folkis, use, I pray you, the counsall that this gentill minister geuis you in my name, for quhais enteir loue touardis you, I darr fully reponde I will upon Tysday, at the farthest, aduertish you of my dyet, and quhair ye sall meit me be a man thay call Alexander Lindesay In the meantyme, not doubting of youre conformitie in all thingis, I bidd you fairueill.

James R.

V. James VI. to the Earl of Huntly.

I troue ye are not sa unuyse, milorde, as to misinterprete my exterioure behavioure the last daye, seeing what ye did, ye did it not without my allowance, and that be your humilitie in the action itself, youre honouring of me serued to counteruaile the dishonouring of me be otheris

before, but perceauing by my expectation that baith noblemen and counsailloris to uasche thaire handis of that turne, and laye the haill burding upon me, I thocht the hurting of myself and thair looping free coulde be na pleasoure, nor ueill unto you; for gif that impediment had not bene, assure yourself I ualde fainer have spoken with you then ye ualde with me, for manie causis that uaire langsume to writte Alluayes assure yourself and the rest of youre marrouis that I am earnister to haue your daye of tryall to haulde forduart then yourselfis, that be your seruices thaireftir the tirranie of thir mutins may be repessit; for I protest before God in extremitie, I loue the religion thay outuardly profess, and hatis thaire presumptuouse and seditionse behauioure, and for your pairt in particulaire I trou ye haue hadd proofe of my mynde towardis you at all tymes, and gif of my fauoure to you ye doubt, ye are the onlie man in Scotlande that doubtis thairof, sen all youre ennemies will needis binde it on my bake To conclude, halde forduart the suiting of youre tryall as the berare will inform you, and use the aduice that I haue commandit him to giue you in youre proceedingis, and moue youre marrouis to omitt na diligence in halding forduart this dyet Let nane see this lettir Fairueill.

Your aulde friend,
J. R.

I hope to see you or this moneth be endit (gif ye use yourself weill,) in als guide estait as ever ye was in.

VI. James VI. to the Earl of Huntly.

Richt traist Cousing and Counsellour, we greit yow hertly weill We doubt not bot the cruelties and disorderis in the ilis thir yeris bigane hes greitly moved yow, quhair anent we intend, God willing, to tak sum speciall painis our seilff, alsweil thair, as in the bordouris quhair we hane bene laitlie occupeit, (we directit our mynd vnto yow quhat we thocht metaist to be done in this behalf in October last, not doubting bot ye haue bene cairfull thairof sensnye) Alwayes fearing that the Ilis men within the boundis of your lieutenandrie sall preas to mak sum rysing and gaddering, before conveniently we may put order to the materis standing in contrauersie in the west Iles, we desyr yow effectuuslie, that with all

guidlie diligence ye send to Donald Gornisone M'Cloyd of the Lewis, M'Cloyd of the Harrich, the Clanrannald, and vtheris being of power in thay pairtes, willing and commanding thame to contene themselffis in quietnes, and that they forbeare to mak any maner of conventioun or gadderingis, to the hinder and disturbance of our good deliberatioun For we haue written effectuusly to Angus M'Conell, and hes spoken with M'Clane, being heir for the same effect And sa not doubting bot ye will do quhat in yow lyis, that all thingis remane quiett and in gude ordor within the boundis of your charge, as ye will do ws speciall and acceptable seruice, committis you in the protectioun of Almichtie God.

At Edinburgh, the xx day of Aprill, 1587.

VII. James VI. to the Earl of Huntly.

My good Sonne, I may on my saule sueare unto you, that sen youre parting fra heir I was neuer ane houre unthinking upon you, but when I was sleipand, and skaircelie then I uas sa laith to tyne the report of my friends [ ] absence I hadd bene outt of this toune or non, and mett with you gif the examnation of this lettir-bearare had not stayed me as to youre dyet in meiting with me Faill not to do fully thairin, as the bearare heirof your freind sall direct you, as for youre information in all thingis concerning you and my mynde thairin, I remitt it to the said beararis report, because ye knau I desyre not to be prolixt in my letteris Alluayes trust fully this gentleman, and obey quhateuir he biddis you in my name, quhom I haue selectid to send unto you at this tyme, because he uas the first man that euer spake goode of you unto me. Fairueill.

James R.

Because Patrike Murray takis medicine this day for the dreggis of his feare, I have reseruid his uoyage quhill he meit you by the waye, and bring you unto me.

VIII. James VI. to the Earl of Huntly.

My good Sonne, hou treu the alarumis uas that uaire so confidently geuin you this day, the bearare heirof, quha harde and sau all, can report

unto you ; thairfor I pray you remember all the promesis ye maid to me this day I knaw ye are to fecht a harde batle with all that are about you, quhilke I pray you als uaillantlie to susteine as gif ye uarre fechting for me in a forren coumtrey, and esteeme thay onlie to be youre treu friendis that counsallis you to obey me, and follow my course, and all otheris to be youre ennemies in effect ; and as for my pairt, as I haue prouin heirtofor, sa judge and assure youreself of me hearafter, quhilke als ueill in youre absence, as at youre returne, sall kythe in all respect (ye keiping youre promesis), as lykeuayes all thaim, that I will ansoure for unto you All other thingis I remitt to the bearirs report, quhom praying you to trust, I bidd you fairueill.

James R.

IX. James VI. to the Earl of Huntly.

My goode Sonne, I ame sa continually occupied in thir turnis of youris, as I and the bearare heirof ame compellid to kiep quarteris in it, and sa can not baith be uith you at anis, alluayes he will shau you my mynde in all thingis I pray you, as I have oft said, to trust my counsall best in your turnis ay quhill it deceaue you, and quhill then for goddis saike follou directlie, constantlie, and uithoute doubte, my aduysis, quhat sumeuir any or all youre friendis say in the contrair I ualde be laith to leaue ony man in the myre that lippnit onlie to me : as to youre particulaire turnis, the bearer will informe you hou ue are neuer ane houre idle Fairueill.

James R.

X. James VI. to the Earl of Huntly.

Goode Sonne, according to my last speaking uith you, I uill the morne send you a direction of my full mynde concerning youre behauioure in all thingis I trust ye uill remember on youre uou maid at youre bryddell Thus remitting all thingis to my forsaide direction, and willing you to take resolution of nathing in the menetyme, but only to remaine quhaire ye are, I bidd you fairueill.

James R.

XI. The Marquis of Huntly to the Earl of Nithsdale.

My honorable good Lord and most louing Cousing, I have receauit your lordship's lettre, and thankis your lordship most hartlie for your lordship's good rememberans of me to his Majestie; and giff my health wald haue seruit, I wald haue cum to Court myself to haue haid the honour to haue kissit his Majestie's hand, quhilk is the thing I long maist for; bot your lordship knauis this winter season is not proper for ane man of my aige to tranel in, and speciallie sua long ane journay; bot heir at hame I sall serue his Majestie to sum better us. Gif onie in this kingdom wald brag, as your lordship wretis to me, to rebell againis his Majestie, I sall find als mony faithfull subiects of his Majestie's, quha ar of my freindchip, quha sall dantun thair pryde, his Majestie giuing me his allouans therto and authoritie; bot his Majestie waitis not to tak onie regaird of suche speckis, for thair is none in Scotland that dar presume for that; and gif it war, it sall turne to thair auin ruin, for his Majestie sall find me ane faitfull serviteur to his Majestie, as I haue euer bein heirtofoir to his Majestie's father of happie memorie, quhan euer it sall pleis his Majestie to honour me with his comandements. I will request your lordship to recomend my louing seruis to the Duck of Buqingaime, and schau his lordship that I long till I haue the honour to sie his lordship. So my most louing deuetie rememberit to your lordship, and your lordship's good lady, I will euer rest, your lordship's most loving Cousing, to serue you. Huntlye. Enzie, this 13 of December, 1626. To my honorabill good lord and louing cousing the Erlle of Nidis-daill, &c.

XII. Charles I. to the Earl of Huntly.

My Lord, this bearer's, your servant's returne for Scotland, giveth me oportunity to desire you to keepe me in your thoughts as one who doth exceedingly value the honnour of your frendship, of which you have given me such assurance att my beeng in England, that I should esteeme myselfe most happy, and shall ever endeavour, to render myselfe apt to

prove really that I am your lordship's most affectionate frend, to serve you. CHARLES. Haghe, this 9 day of April, a° 1639. For my Lord Marquis of Huntley.

XIII. THE DUKE OF YORK to the MARQUIS OF HUNTLY.

Bruxelles, May 21, 1679.

You had soner had an ansuer to yours of the 7 of last month, which I recieved by this bearer some tyme since, if I had knowne what to have sayd to you, for I was still in expectation how things would go in England, hoping his Majestie's affairs would have mended, and then myne could not have gone ill; bot insteed of that, every post brought us worse newse, the one and then the other; and at present, by what his Majestie has latly done, I looke on his affairs as very desperat, for he has so put himself into the hands of his enemys, that I do not see how he can ever do himself or his freinds any good; and I expect, every moment, to heare that I am very severly fallen upon in the House of Commons; and to what they may drive it, you will know before this coms to you. I expect the worst, and see no liklyhood of my returne; and as to what concerns yourself, I shall be always very glad to see you, either here or where so ever I shall be. And truly, as things are, you will do well to looke to yourself, and see to secure your persone and fortune as sone as you can; and I think you cannot do it better then by getting a passe from his Majestie, or councell, to come here beyond sea. You see, most of your perswasion in England have done it already; and I do not see how staying in Scotland can be with any safty to you, or of any use to his Majestie's seruice, considering the postur things are in. You see, I write my mind very freely to you; and if you find it for your interest to come on this side of the water, I should be very glad to see you, to assure you myself that no body has more kindnesse for you, nor is more your freind than I am, &c.

JAMES.

XIV. The Duke of York to the Marquis of Huntly.

Bruxeellis, October 12, 1679

I receued yours of the 10 of August but since my returne to this place from England, by Mr. Dumbar, by whom I write this to you. I am glad your occations haue keep you in Scotland till now, for affairs in England look more favorable for me then they have done, and I hope it will not be very long before I be sent for thether. For what els I have to say, I reffer to this bearer, and desire you to beleve you shall ever find me a very true freind to you. James.

XV. The Duke of York to the Marquis of Huntly.

Windsor, July 20, 1682.

I have been in such a perpetual motion since I received your of the last month, that till now I have not been above two days in a place, so that I had not soner tyme enough to answer it, and to lett you know I shall always rely on the assurances you have given of being my friend. I am very glad to heare things are so quiet in Scotland, and by what I heare from all hands, shall not have reason to be ashamed of those I recommended to be at the head of his Majestie's affairs there. I wish I could say all things were as quiet here; but the factious and phanatical party are both bold and impudent, and have shewd it enough in this affair of the election of the Sherifs in the citty; but for all that I make no doubt but that things will go very well, for his Majestie has been very stedy in this affair, and resolut, and that will carry him through all. When you write to me, do it without ceremony, and be assured I shall always be as true a friend to you as you can desire. James. For the Marquis of Huntly.

XVI. The Duke of York to the Marquis of Huntly.

Newmarkett, March 13.

I receved yours of 2, from Edenburgh, a day or two before I came from London, and had so much businesse upon my hands as I could not then

answer it, but would not fail to do it now, and desire you to lett me heare from you how affairs go where you are, for I concerne myself still, and always shall do, how things go amongst you. You will before this coms to you, have heard of some alteration his Majestie has made in the project I brought him concerning the Highlands, by giving a part of your devision to the Earl of Murray, which I did not thinke proper to opose, being informed you would not dislike it, and that I thought it was not of importance enough to strugle in it for you, since you two are upon good tearmes, and that I beleved it was not worth a contest; for you may be sure where you have any real concerne, you shall find me as truly your friend as you can desire. James. I had forgot to tell you that his Majestie will settle the affaire of the Mackclens so as they will have reason to be satisfyed, and Lord Mackdonel to, tho, may be, all that is desired by them cannot be done; therefore, pray advise them that they behave themselves so in the meane tyme not to give advantage against them, and that there may be no complaint of them.

XVII. The Duke of York to the Duke of Gordon.

Whithall, Jan. 19, 1685.

I had yours of the 30 of December, some days since, which I was not hasty in answering, hearing at the same tyme that you were sone to go north. As to what you mention in your letter, when I shall be with you at Edinburgh, you may be sure I shall see what may be done for the ease and security of loyal men, it being the true interest of the Crowne to suport them; which is all I need say at present. James. For the Duke of Gordon.

XVIII. James II. to the Duke of Gordon.

St. James's, May 11, 1685.

Till this day I did not receve yours of the 8 of April, by Mr. Dumbar, he hauing been sick ever since his arrival here till now, and now I have not had much tyme to discourse with him, but intend it within a day or two. Lord Melvill is certainly gone from Amsterdam, with some arms and

amunition, for Scotland or Irland, to see if they can make any disturbance there; for Lord Argile, he either went before or with him, which I do not certainly know; but before this gett to you, I am confident you will heare more of them. And now I have not tyme to say more, but that you shall always find I have that consideration for you which you have reason to expect. J. R.

XIX. James II. to the Duke of Gordon.

London, May 23.

Having had the newse yesterday of the rebells being land in Lorne, I thought it not amisse to send downe this bearer, Lieut.-Colonel Maxwell, to you, to serue under you as your aide-de-camp, he being a good engineer as well as an old officer. He will tell you all the newse of this place, where, God be thanked, things go very well; and I make no doubt that you and those who are going against Argile will have good successe. I have not tyme to say more. J. R.

XX. James II. to the Duke of Gordon.

London, July 22, 1685.

Till now I had not tyme to tell you I had receued yours of the 5, and to assure you I am very well satisfyd with the seruice you have done me, and your readinesse in it towards the supressing of the late rebellion in that our ancient kingdome. 'Twas nothing but what I had reason to expect from you, and assure you I am as sensible of it as you can desire. J. R.

XXI. The Duchess of York to the Marchioness of Huntly.

Edinburgh, the 20 of [ ], 1682.

I know myself so guilty towards you, for having beeu so long without writting to you, that I dont know which way to begin again; but I think the best is to acknoledge my fault, and aske pardon for it, promising

neuer to comitt the like again : one thing more I must say, which is to desire you will be so iust to me, as not to beleeue, nay, nor think my past silence want of kyndnesse, for indeed that is a fault I can neuer be guilty off : but when euer I dont writt to you, it is want of time, or at most a little lazenesse, and now of late after hauing been so long, I grew so ashamed of myself, that I did not know which way to go about it, and so putt it off, without considering that I did still worse and worse ; but pray forgett what is past, and for the time to com, I shall giue you no cause to complaine of me. My last fall has been as much more terrible then the first, as it is possible to imagine, but God Almighty has been uery mercifull, in preseruing me from a greater hurt, for when most of those that saw me fall thought me dead, I had no harm, but in my legs, of which, I thank God, I am almost recouered, I cant say quitt, tho' I am able to walk with care, becauss one of my legs swellis euery night; but I hope it will not do so long, for I take care of myself as much as I can. I do not go about to send you any news, for I beleeve you hear from others all that wee have. My Lord Argile caused great talk for a great whill ; but now he is quitt forgott. Som say he is at London ; and I beleeve it, tho' I do not think he will stay long ther, since he sees he is not like to be receiued by the king. My let is long enough, and yett I cannot end it, without assuring you, that as long as I liue, you shall euer find me truly yours.

XXII. The Duchess of York to the Marchioness of Huntly.

Edenburgh, July the 20 [ ]

I was uery impatient to hear hou you were after your long iourney, and extremely plaised when I heard from yourself that it was so well ouer. I cant help wishing that you were at it again, and I hope you dont take it ill of me, since it is only the desire I haue of your company that makes me wish it; but I doubt I shall not haue that satisfaction so soon as I expected. I am uery sorry for it, for seuerall reasons ; howeuer, it is better late then neuer, and about a month hence I hope I shall hau it. I thank God, I am in perfect good health, and much plaised to haue Lady Anne with me, and sum others of my friends. They gott hither a Sunday morning, after a uery fine passage, beeing but four dayes upon the sea. I have at the same time the trouble of parting with this Italien lady, who

goes a way to-morow. Ther is no remedy, and therfor one must haue patience. One cannot in this world have a [ ] without a displaisur. The Duchess of Hamilton is com, and Lady [ ] is expected this day. The town fills uery fast, and this howse is perfectly crowded. You will haue heard uery good news since you left this place, both from London (wher Lord Shaftesbury is secured) and from hence, wher Cargill is so to. I pray God all the [ ] may be discouered, and that the inocents may be thought so by all the world. Methinks I have sent you a great deal of news. I expect as much from you, tho' of another kind. I shall always be glad of your [ ], being truly, with great kindnesse, yours.

XXIII. The Duchess of York to the Marchioness of Huntly.

Edenburgh, the 5th of August.

I received two of yours since my last, and I can neuer thank you enough for half the kynddesse you express in them, much less for all; but I am as sensible of it as I ought to be, and am quitts with you in that point, having as much for you as gratitude and inclination (which is the most powerfull) obliges me to. I am confident I was as sorry as you to see your coming put off; but since that and other matter was to be refused, I am glad it was don so ciuily. I would not hau you fancy that your lord is thought inconsiderable, for I can assure you the contrary; but he must suffer a little in this world for what will make him happy in the other. The poor Chancellor is dead at last, and left a very sad family. I was, indeed, very sorry for him, and for his poor wife, who is in an inconsolable condition, and is gon to day from this towne, I believe, neuer to com to it again. The ceremonie of the Parliament was extremely fine. Most people were plaised with the Duke's speech, and the maijor pairt seemes resolued to do theyr duty; I pray God they may, and that all this may be well ouer. I hope you are not resolued against your coming, tho' it shall not be so soon as I hoped. I wish you could guess how much I desire it, and how duly I am and euer shall be yours.

Mary.

XXIV. The Duchess of York to the Marchioness of Huntly.

Edenburgh, the 19 of October [ ]

I was uery glad to find by your let that you had gott well home, and found your sonne so to, for whom, indeed, I was uery much afraid after the relation you had made me of his illnesse. I thank God that of my fall is now over, and I am els uery well; but am forbid by my mother euer to ride again, which is a great mortification to me. I haue writt a uery carnest let to her, to begge her leave, and I hope to gett it. We haue had great news within these two days, the King having sent orders to the Duke to make great alterations in the [ ], which euery honest body is uery well plaised with. I dont doubt but you will haue an account of it from other hands, therfore I shall not repeat it; and besides, the post is iust going, therfor I can say no mor but that I shall be euer yours.

XXV. The Duchess of York to the Marchioness of Huntly.

Edinburgh, the 20 of December.

I received but this morning yours of the 13, and will loos no time in telling you that I most willinglie consent to be godmother to your sonne, (as I hope) that is a coming, or com into the world by this time. I take it very kyndly you should desire it, and am sorry I cannot stand for myself. If you think fitt that your lord's mother or sister shall do it for me, I shall be very well pleased with it, or with any els that you shall think fitt to apoint for me. Were you not so farre, I would send one from hence; but the distance, and this time of the year, as well as the sad weather, excuses me from it. As for the godfather, I am extremely well satisfied it should be the Duke of Norfolk. If you had not proposed him to me, I should haue don it to you. I hope this will find you safe deliuered of a sonne. I wish you muech ioye of it; and no less if it should be a daughter. I thank God I haue been in perfect health euer since I came hither; but of late I am mightily tormented with the spleen. The truth is, I have many reasons for it; but if I did submitt to God's will as I ought to do, it would keep me from giuing myself up to sad

thoughts. I hope I shall lern to do it. I am afraid I haue already made my lre to long for you, that will not be in a condition of reading much, therfor I will not say a word mor, but to assure you of my beeing truly and with particular kyndenesse yours. MARY. For the Marquisse of Huntly.

XXVI. THE DUCHESS OF YORK to the MARCHIONESS OF HUNTLY.

Whithall, January the 7th [ ].

I was uery glad to find by your let that you had gott so well to Edenburgh, and hope to hear the same from your owne howse in few days. Wee must bee contented only with writting to one another, for we are not like to meet, the Duke's iourney beeing for so short time that I shall not go with him into Scotland; nor is ther one word of the Prince and Princesses going thither, nor I beleeue you dont think it is likely they should, especially now that she is half gon with child. I haue not failed to speake to the Duke of your concerns, and was uery glad of the list you sent me. I find him as much inclined to be kynd to your lord as I could wish him; but he says he can promise nothing till he is informed of euery thing after he coms to Edenburgh, wher I hop your lord will be, and speake for himself; and I am sure, if it be in the Duke's power, and that the King does not keep all those fines for himself, your lord will gett som, which I heartily wish, for I knou they can not be bestowed upon one that deserues better. In the meane time, I hope he will keep friends with those that are in power, for it is the easest and the safest way. Nou, to give you an account of myself, I shall tell you that I haue had a great cold for three weekes toguether, that is almost euer since I came to these lodgings, and it is not aboue two or three days that I am quitt free from it; and, if you will beleeve me, I begun this let the day as it is dated, and haue neuer been able to end it till this day, that is the 24th; but pray dont you leaue off writting to me, for I am pleased to hear from you, and will writ as often as euer [I] can, for I haue a real kyndness for you, and hope you are so iust to me as not to doubt of it.

Your let is burnt, and you may writt safely to me of all kynd of things.

XXVII. Mary, Queen of James II., to the Duchess of Gordon.

Lord Dunbarr shall not go from hence without a lre from me, tho' he can better then most people inform you of my kyndnesse to you, which, it you suspect, you do me a great deal of wrong, for I do not only love you, but esteem you mor then I can expresse, and would haue shewd it you by taking you in to my family, if it had been in my power to do it, without breaking my word to another, for I am sure I haue as much mind to haue you with me as you can haue to com, and by delaying it I hurt myselt mor then you, for I can not haue any body near me I like so well as you, and therfor you may beleeue that as soon as I am able to do it I shall desire you to com; but pray dont iudge of my kyndnesse by my lrs, for indeed I am not able to writt often, and in this I use you no worst then I do the best friends I haue in the world, therfor I hope you will not take it ill, nor for it deprive me of the satisfaction of hearing from you, for your lrs are always uery wellcom to me. I thank God I haue my health very well, or rather to well, for I would be glad to haue such sicknesse as you now haue. I dont at all doubt of your good wishes for me, and I hope you are as iust in not doubting of my kyndnesse to you; if so, shew it me in writting often and freely to me of all things, and without ceremony, for be so doing you will encrease, if possible, my kyndnesse to you. M. R. For the Dutchesse of Gorden.

XXVIII. Mary, Queen of James II., to the Duke of Gordon.

May the 24 [ ].

If I could haue found sooner then this a safe oportunity of writting to you, I should not have been so long without telling you, that one of the greatest satisfactions I haue had since I left England has been to hear of the zeale and faithfullnesse with which you have serued and serue the King, at a time when euery body seems to haue forgot theyr duty, and when the King is not only [not] in a condition of rewarding those that performe it, but hardly able to lett them know he is sensible of it, or to give

them any light of his affaires to encourage them to continue faithfull. By this you shew yourself a good Christian, as well as a man of honor; and being bred up with both, I do assure myself that nothing can euer alter you. The Queen of England, as well as the King of France, admire your conduct, and upon all occasions speake of it, and of your courage, in keeping for your master what he left in your charge. I know you need no encouragement to make go on as brauely as you haue begun, but it will be a satisfaction to you to hear that the King's affaires in Ireland are in a very good posture; ther was no town against him but Londonderry, which, by what they writt from Dublin, is, I am confident, befor this, in the King's hends, so that he is entirely master of that kingdom, and I hope will not stop ther. I do coniure you to haue a good heart, and encourage all the friends the King has in your countrey, for I am confident they will soon hear som good from him. Your good friend that sends you this lettre will acquaint you with my name, which I dare not writt, nor make any superscription to this lettre, for God knows whether euer it will com to you; but your friend will answer for me how duly I am yours.

XXIX. Robert Munro to the Duke of Gordon.

My Lord,—Last Fryday, I was told of the deseigned scheme to make the present 16 peers of Scotland hereditary peers of Great Britan, and to add nyne more to that number, making in all 25. I had written to your Grace Saturday, but yet I was not master entirely of the scheme; which is, that the King, by patents, shall call up to the House of Lords immedeately 9 of the peers of Scotland, viz., Dukes of Hamilton, Queensbery, Bucleugh, Douglas, and Athol, Marqnis Tweedall, Earls Craford, Marchmont, and Hopton, and that the King would, at the end of this seshon of Parliament, give out patents to the other 16, and that from hence forward the peers of Scotland to have noe other representation than that 25; but on the extinction of any of these 25 familys, the Crown is to fill up such vacancy out of the peers of Scotland, and that from hence forward noe king or queen of Great Brittan shall make any peers except where a vacancy hapnes in the present peerage of Great Brittan. Your Grace will consider what is most proper for you to doe in this junctur for the

honor and interest of your family; but in my oppinion, this is the last blowe given to the peerage of Scotland, and that from hence forward they will be the most unfortunat, despicable sett of men in the world, and never in my oppinion have hereafter any opportunity to serve their country or ryse their familys. I mentioned the hardship putt on your Grace's family in this particular; the only answer I could gett was your Grace's religion, which to me did not seem a good reason for forfiteing your family for ever. I than told them that I had the honor to be come of the Earl of Caithness and Findlator, Lords Forbes and Reay, and therfor never could give my vote to forfite them, and establish familys hereditary peers of Great Brittan that have not one shilling in Scotland, which is the case of some of the present 16 Scots peers. In a word, my Lord, all I can doe is to give my negative to it, tho' at the same tyme I not only dissoblidge the ministry, but all the Scots peers who establish themselves and familys by this scheme, to the prejndice and utter ruine of the Scots' nobility, whose present representatives they are. I most own that I never meet with any thing that shoked me so much as this scheeme. There are severalls of the noble familys of Scotland whose circnmstances at present want the royall assistance. An other consequence of this scheme most unavoidably be that the demand of a great many of the new hereditary peers who have not estates to support that honor will oblidge the Crown to withdraw its bounty; and not only so, but instead of makeing 25 peers hereditary, that will for ever be in the interest of their country, it will be makeing hereditary a good number of peers to be at the disposall of all ministrys, for peerage at London cannot subsist without mony. I wish your Grace all health and happynes, and offer your Grace and my Lady Dutches my most humble duty, and Mrs. Munro's, and I am, with the most unalterable friendship,

Your Grace's most faithfull and most
obedient humble servant,

London, 3rd March, 1718. ROBERT MUNRO.

XXX. GENERAL GUEST to the DUKE OF GORDON.

Innerness, September the 3d, 1725.

My Lord,—Att my rettorne here with the Genrll from Brahan, I re-

cieud your Grace's comands of the 27. What your Grace proposed, and what Glenbuket desired was so oposit, that I could not persuaid the Generall to alow the latter after he had consented to the former. What I understud I was to aske for, was for men and armes to go with Glenbuket in serch of thos into Badenach, which the Generall radily consented to send with him what nomber of the Hyland companeys he pleasd, prouided he would go with them him selfe; but after he had considerd of it, he thought it not proper to go with them, and proposd to send only a guid, who he had with him, which came from that euntrey, which the Generall durst not uenter such a partey with, unless the M'Farsons had been disarmd, before such a partey under such a guide was sent, and this is the reason I acquainted your Gracce that matter was deferd until a better opertunity. I haue since sent that man into Badenoch, and ordered him to get what intilligens he could, and if aney probabilitey of suckses, will get a Hyland companey sent with him from thens.

The clans belonging to Seaforth deliuered upe ther armes in a uarey hansom maner on Saturday last, at Castel Brahan. First the prinsopall gentlemen came and waited on the Genrall to the number of 50; soone after came the men with ther armes; eurey parish marcht by them selues, with about 20, sum 30, in ranks, 4 and 4, at the head of the rest of the armes, which they brought on horses. When they came to the tope of the [ ] near the house, thay laid doune ther armes, tribe by tribe, unlodend ther horsses, drunk his Majesty's helth, and so rettornd. Thay brought in about 800 armes.

On Monday, we go to Kiliwhimen, and so on to Fort William, and then rettorn hither. After that, the Genrall takes 50 dragoons and sum other troops, and gos to Ruthin, in order to satel that place to your Grace's satisfacion, at which time thos people your Grace mentions belonging to you will be sumonsd; and I will not forget your Grace's comands consarning protecions and eurey thing els you pleas to recomend to me.

As to this castel and hill about it, I am glad your Grace dos not say aney thing of it. If the property be your Grace's, you will have the same clame when repard and bulte as you have now tis in rubish; and I must oune I think your Gracce intirly in the right not to say or do aney thing against it. The Genrall will order a prisen to be bulte under the castel, and will leaue ordrs that your Gracce shall haue the use of it to imprisen aney offender as formorly.

I dont se ther will be aney thing dun ther this winter but the castel filled upe; and that being contracted for, ther is nothing I can aske for on Mr. Bailey's account. I will consulte him, and when euer aney thing hapens that he tells me can be of seruis to him, I will do all in my poure to serue him, or aney frend your Grace recomends. I maid your compliments to Genrall Wade, who ordered me to send his most humble seruis and ten thousand thanks for all fauours to him, and

My Lord,

Your Grace's most faithfull seruant,

Jos. Guest.

XXXI. General Guest to the Duke of Gordon.

Inverness, 2d October, 1725.

My Lord,—I have the honour of your Grace's commands by Mr. Gordon, and have with very great difficulty obtained a pass for him, occasioned by so many being given out already on your Grace's account, which amounts to more than twenty, not reckoning any that were given to Cluny, and I am sorry he had any. I wish it was in the General's power to give more, but he has them not; and I humbly beg your Grace will not expect or recommend any more, for it will not be in my power to obtain them, which will give me great pain.

I spoke about Inverishee and his sons, and he has allowed them all to carry arms, and should call Grant his younger son, that he might take notice that he had liberty, for the father being qualified, the General in those cases looks upon the sons to be so also; for it is not in the Act looked upon in the manner as your Grace observes, for all those that are fewers of lands to the value of 400 lib. Scots per annum are looked upon as men qualified, but those who has wadsetts, tho' never so much in value, are not looked upon to be qualified.

It will be this month before that company can be at the Barrack of Ruthuen, in order to look after outlaws and fugitives, and then I really think if your Grace will not forgive them, they must be taken if they stay in that country, or they must leave it.

The General received the enclosed from some of their friends, and he told them if they could satisfy your Grace and Glenbuckat, he would, if your Grace desired it, sollicit a pardon for them, but on no other condi-

tion then your Grace's being moved to ask him to do it, and on that account I send your Grace the enclosed papers for your consideration.

I hope we shall come by Gordon Castle, that I may have the pleasure to kiss your hands and receive your commands, latter end of next week, of which your Grace shall have notice.

I rely on your Grace's easy censure for what I have said about passports, and must begg once more your Grace will neither take it amiss nor ask for any more, since I assure you it is not in my power to procure them. I am, with very great respect, my Lord,

Your Grace's most faithfull and obedient servant,

Jos. Guest.

I bege if your Grace has aney opertunitey that you will be so good to let me know your thoughtes upon the inclosed papers before we leaue this, which I expecte will be on Saturday next. I must reffer my opinion about what your Grace desirs to know til metting. I beleiue it will be hard to them, and it would sattel all that parte of the cuntrey could aney other methoid be tacken.

XXXII. General Guest to the Duke of Gordon.

Innerness, October the 6, 1725.

My Lord,—I had the houer of your Grace's commands by Mr. Hamilton, and hope you haue ben so good to pardon that relating to pasportes, which was not in my poure to preuent. The Genrall is so uerey peuish and out of umer when prest for aney, and not beleiuing that I tould the dificulty, which I raley was ashamed to do, ocasind your Gracce coming to the knolig of it in that maner; but I bege for nothing so much as that you will beleiue I would go ten thousand miles to serue you, or aney frend you recommend, or do aney one thing on erth that I thought for your Gracce's intrest, was it in my poure.

I haue giuen the M'Farsons such an anser as you comanded me, and the Genrall is resolud to com by Gordon Castel on purpos to receiue your comands. This I fixt with him sum dayes ago; but whether he will set out on Saturday, Sunday, or Monday, he has not yet resolud, but I belieue it will be one of the tuo first.

He semes to think if your Grace would incline to forgiue sum of the fugitiues that was not the principle accters, it might be a menes to come at the truth of the whole, as allso conduce to the satling the peace of that cuntrey. But in that and euery thing else relating to them, your Grace must determin; for he will giue him selfe no other trouble about them. exept to press the Hyland company to tacke them or driue them out of the cuntrey; and if the latter be all thay are to expecte, I hope he will giue Collonel Grant an order sumthing stronger then the genrall orders, that he may forthwith fall hartily to work with them. The day we leaue this, we shall ly at Brodey, and I will send on my servant priuatly to Gordon Castel, that we may not mis the plesur of finding your Grace ther; for I am with the greatest respect,

My Lord,
Your Grace's most faithfull and most
obaident Servant,
Jos. Guest.

XXXIII. Glengary to the Duke of Gordon.

My Lord,—I presume giving your Grace the trouble of this, by my cousin , begging the favour your Grace be pleased to include in the right of baillery my cousin has of Bunlochabar such lands as I hold of your Grace, and that he be impowered to call people to sitt assizers from Brae Lochaber, my people being all Roman Catholick, and I incline not to have to doe with Cammerens, being the villains most trouble me, have closs correspondence that way. I am hopfull the very name of my cousin having thir lands in his jurisdiction may terrifie them, if but an example were made. I begg your Grace may doe me the justice, as believe there is non shall be more willing and ready to serve your Grace and family of Gordon than,

My Lord,
Your Grace's most obliged and obedient humble servant.
John M'Donell of Glengary.

Invergary, July 18th, 1729.

I presume making offer of my most humble duty to my Lady Dutches and family, and doe earnestly intreat your Grace favour me with a shaw of your .

XXXIV. General Carpenter to the Duke of Gordon.

London, August 29, 1717.

My Lord,—The Duke of Roxburgh coming last week to towne, I was 3 days successively to wait of him, but was answer'd he was abroad; so yesterday morning I sent to know what time I might have the honor to see him, and he came to my house, where I shew'd him the list of the persons your Grace recommended to have leave to come home. He said the King had given leave yett onely to one, and that he could nott meddle in itt till he knew who the persones were; that he knew none of them, butt the Lord Petsligo; as for the rest, there are so many of the same name, that without their designation, there is no knowing them, so desir'd I would write to your Grace to putt their designations to the severall names. I said his Majesty told your Grace, on your asking for some of your friends and followers, that he would be willing to oblige you in it; but I find 'twill nott go forward till a returne of the enclos'd list with the designations to them. I am concern'd that I cannott give your Grace a better account of this negociation, which I will press all I can when the list is return'd, or any other commands of your Grace's, being mighty sencible of your goodness in my sons having the honor to be with you.

I had design'd speaking to your Grace about danger from the Pretender's friends, butt cannot recollect whether I did or nott. 'Twas to advise nott going where any of them are—I mean to any towne, or even country; for late Lord Marr is so much your enemy, and has possest them all, that he had succeeded, butt for your Grace, that some of them may think they do their cause, or their master, good service in murdering you basely. I knou your Grace will nott frequent them; butt I think you will be very unsafe in Italy, or any country where some of them are [ ] France Your Grace will pardon this caution, since it proceeds from a sincere honor and frendship for you.

I am, my Lord, your Grace's most humble and obedient servant,

Geo. Carpenter.

The Duke of Roxburgh also desir'd to knou where all the persons were, whether abroad or privatly att home in Brittian.

His Grace the Duke of Gordon.

XXXV. Obligation by John and James M'Grigor.

Wee, John and James M'Grigars, laull sones to Grigar M'Grigar, somtyme of Delivorar, for the speall lowe and fawour we bear for ane noble and potent lord, Alexander, Marquise off Huntley, and his noble family, binds and obliges us, our airs, and successors, and all that ewer shall come of us and our familys quatsomeuer, to call ourselves and to be Gordones from this present tyme, furth, and for ever, and all our posterity, oblidgeing us aforsaid, and ours quatsomeuer, to own ourselves to be Gordones, still attending and depending on the noble family of Huntly, and that both in word and write, in all tyme comeing; and we furder oblidge us that we neuer shall subscrive to or signe any papers but Gordons, as aforsaid, *in omnibus*, as to our names and subscriptions, or others abou narrated; and for the more security we consent thir presentts be insert and registrat in the books of counceil and sessione, or others competent, within this kingdom, that all executions necessar may be direct hereon in form as effeirs, and thairunto wee constitute our prors., and in wittnes thairoff wee hawe subscrived thir presentts with our hands, at Gordon Castle, the seventh day of Agust, jaj. vij. and eleven years, befor wittnes John Gordon of Aberlour, Mr. Hugh Tod off Overtoune, Mr. Alexander Mitchell, schoolmaster at Foehabers, and Norman Hutchone, messenger, the wryter hereoff.

J° Gordon.

J. Gordon, witnes. A. Mitchell, witnes. J^a^ Gordon.
H. Tod, witnes.

XXXVI. Lord Lovat to the Duke of Gordon.

My good Lord Duke,—I hope this will find your Grace and the worthy Dutchess of Gordon in perfect health, after your long and tedious fatigueing journey, in which indeed you have both gain'd the hearts of all those that had the honour to see and converse with you; and that your Grace and the good Dutchess may live long together in perfect health; that your posterity may be numerous, and that your illustrious family may be

always prosperous, is the earnest wish and prayer of the inside of my heart and soul.

The singular honour that your Grace and the Dutchess have done me in coming off your road to see me in this little hutt has made such a strong impression of gratitude upon me, that neither time nor any incident in life will ever wear it out as long as there is breath in me; and I hope my son, after I am gone, will retain the same zeall and attachment for your Grace, and for your family, that I have now, which I can noway show but by my humble thanks for your Grace's goodness towards me; but I can assure your Grace (to use a Scotch proverb) that I will be always ready to venture craig and wizzan to serve your Grace and your family, whenever you please to do me the honour to employ me.

As your Grace and the worthy Dutchess were so very civill to my daughter, I think it my duty to acquaint your Grace that her Aunt, the Lady Scatwell, having come here on the Tuesday after your Grace went away, my daughter was married next day to the Laird of Cluny, and they both behaved to the satisfaction of all who were present; and as they are both good natur'd and of an even temper, I hope they will be very happy. They had the honour to succed to your Grace in the lucky velvet bed, which I hope will have a good effect.

The most of the company stay'd eight days, and we were very merry: and I do assure your Grace, that after the King's health, the Duke and Dutchess of Gordon were the first toast in a bumper, and Lord Charles and Miss Fraser, and all the honest gentlemen that attended your Grace here, was the second.

My cousine Locheill, who is still with me, my son, and Cluny and his wife, join with me in begging leave to assure your Grace and the good Dutchess of Gordon of our most affectionate humble duty, best respects and best wishes. We likeways presume to offer here our most humble service to Lord Charles, and to Miss Fraser. I am truly uneasy to know how the honest gentleman Halhead is, that strain'd his ankle here, for I was much affected with that unlucky accident.

Your Grace's visite to this little house has been a very fortunate one to me, for ever since I have grown stronger and stronger in my health, and I mount my horse now with more agility than I have done these severall years past; and if I go on in the good state of health that I now enjoy, I hope to be soon in condition to do myself the honour to pay my

duty to your Grace, and to the good Dutchess, at Gordon Castle, which is a duty of any that I most desire to acquit myself of, for I sincerely am with uncommon attachment and respect,

My dear Lord Duke,

Your Grace's most obedient, most obliged, and most affectionate humble Servant and Cousine,

LOVAT.

Beaufort, 13 August, 1742.

INQUISITIO FACTA

APUD KEANDROCHIT DE PRIVILEGIIS

RELIQUIAE SANCTI FILLANI.

APRILIS 22, 1428.

INQUISITIO FACTA
APUD KEANDROCHIT DE PRIVILEGIIS
RELIQUIAE SANCTI FILLANI.

Hec Inquisitio facta apud Kan-drochit vigesimo secundo die mensis Aprilis, anno Domini millesimo quadringentesimo vigesimo octavo, coram Johanne de Spense de Perth, ballivos de Glendochirde, de et super autoritate et privilegijs cujusdam Reliquiae Sancti Felani, quae vulgariter dicitur *Coygerach*, per istos subscriptos,viz.: Carolum Campbell, Reginaldum Malcom, Donaldum M'Arthur, Cristinum Malcom, Johannem M'Nab, Patricium M'Nab, Johannem Alexandri M'Nab, Alexandrum M'Anstilan, Nicolaum Gregorij, Duncanum Elpine, Johannem Meinzies, Dugallum Gregorij, Johannem M'Allum, ac Felanum Pauli, Qui jurati magno sacramento dicunt, Quod lator ipsius reliquiae de Coygerach, qui Jore vulgariter dicitur, habere debet annuatim et hereditarie a quolibet inhabitante parochiam de Glendochirde, habente vel laborante mercatam terre, sive libere sive pro firma, dimidiam bollam farinae, et de quolibet in dicta parochia habente dimidiam mercatam terre ut predicitur, libere vel pro firma, modium farine, et de quolibet in ista parochia habente quadraginta denariatas terre, dimidiam modij farine ; Et si quivis alius inhabitans dictam parochiam magis quam mercatam terre habeat nihil magis solvet quam ordinatum fuit de una mercata terre Et quod officium gerendi dictam reliquiam debetur eundam progenitori Finlai Jore latoris presentium hereditarie, pro successori Sancti Felani cum officio, cujus idem Finlaius est verus et legittimus heres Et quod ista privilegia usa fuerunt et habita in tempore Regis Roberti Brucij, et in tempore omnium regum a tunc usque in hodiernum diem ; Pro quibus commodis et privilegijs, prefati jurati dicunt, quod si contigerit aliqua bona vel catalla rapta esse, vel furata ab aliquo dictam parochiam de Glendochirde inhabitante, et is a quo ipsa bona vel catalla rapta essent vel furata, propter dubium sue persone vel inimicitias hostium, eadem bona vel catalla prosequi

non auderet, tunc unum servum suum vel hominem mitteret ad eundem Jore de le Coygerach, cum quatuor denariis vel pare socularum, cum victu primae noctis, et tunc idem Jore abinde suis proprijs expensis prosequeretur dicta catalla, ubicunque exinde sectam querere poterit infra regnum Scotie; Et hec universa, per dictam iniquisitionem fuerunt inventa, anno, die, loco, et mense prenominatis In cujus rei testimonium, sigillum Johannis de Spens ballivi antedicti presentibus est appensum, anno, die, et loco supradictis.

[A Notice of the Crosier of St. Fillan, and of its possessor in 1782, will be found in the Archæologia Scotica, Vol. iii. p. 290, from which the following Letter under the Privy Seal of King James IV. is taken.]

At Edinburgh, the first day of November, 1734 years, in presence of the Lords of Counceil and Session, compeared Mr. John Lookup, advocat, as procurator for Malice Dowe after designed, and gave in the letters of gift under-written, desiring the same to be registrat in their Lordships' books as a Probative Writ: which desire the said Lords found reasonable, and therefore they ordain the same to be done accordingly, conform to Act of Parliament made anent the registration of Probative Writs in all points, whereof the tenor follows:—

James, be the grace of God, King of Scottis, to all and sindri oure leigis and subditis spirituale and temporall, to whais knowledge thir oure letters sal cum, greting: Forsamekle, as we have understand that our servitour Malice Dowe and his forebears has had ane relick of Saint Filane, callit the *Quigrich*, in keping of ws and of oure progenitouris, of maist nobill mynde, quham God assolyie, sen the tyme of King Robert the Bruys, and of before, and made nane obedience nor ansuer to na person spirituale nor temporale in ony thing concerning the said haly relick utherwayis than what is contenit in the auld infeftment thereof, made and grantit be oure said progenitouris; We charge you herefore straitly, and commandis, that in tyme to cum, ye and ilk ane of you redily ansuere, intend, and obey to the said Malice Dowe, in the peciable broiking and joising of the said relick, and that ye, or nain of you, tak upon hand to compell nor distrenyie him to mak obedience, nor ansuere to you, nor till ony uther, bot allenerly to us and oure successouris, according to the said infeftment and fundatioun of the said relick, and sicklike as wes use and wont in the tyme of oure said progenitowris of maist nobill mynde of before; and that ye make him nane impediment, letting, nor distroublance in the passing with the said relick throu the contre, as he and his forebearis was wount to do; and that ye and ilk ane of you in oure name and autoritie kepe him unthrallit bot to remaine in sicklike fredome and libertie of the said relick, like as is contenit in the said infeftment, under all the hiest pain and charge that ye and ilk ane of you may amitt, and inrin anent ws in that part. Given undir oure privie sele, at Edinburgh, the xi day of July, the yeir of God im iiiic lxxxvii yeirs, and of oure regnne the xxvii yere. Sic subscribitur. James R.

Litera pro Maliseo Dowe in Strafinane.

ARTICLES OF AGREEMENT

BETWEEN

THE EARL OF HUNTLY AND THE REGENT MURRAY.

1569.

ARTICLES OF AGREEMENT

BETWEEN

THE EARL OF HUNTLY AND THE REGENT MURRAY.[1]

At Saint Androwss, the xiiij. day of Maij, 1569.

Articles to be performit be my Lord of Hwntle, to the Kingis Majeste, our Soverane Lordde, and to my Lorde Regent, in his naime, during his Majesteis minorite.

Item, My Lord of Hwntlie sall acknawladge, reverence, and obeye James the Sext, be the grace of God, Kinge of Scottis, as his onlie Soverane, and sall manteine and sett forewart the Regiment of this reallme, established in the persone of the Erlle of Morraye, his Hyenes Regent during his Majesteis minorite, and thair upone sall giff his solempnit aithe and subscription, as otheris nobill men hes doune.

Item, For sic gruidge, elest, and occasione of offence as presentlie standis betuix my Lord of Hwntle and my Lord Mortowne, my Lord Hwntle sall do for satisfactione of my Lord Mortowne, in honor and wtherwayis all that my Lord Regent sall think resonablle, and will desyir to be doun, swai thatt all ruite and occasione of grief and displesor betuix thame mai be removit.

Item, Gif ony that hes assistit or takin part with the Erlle of Hwntlie, in tyme bygaine, resistis or rebellis against our Soverane Lord and his Auctorate, my Lord of Hwntle sall unfeyndelie declair him innemay to thame, and sall do his exact diligence to represse thame, or bring thame to justice.

Item, My Lord sall delyver to my Lord Regent, or ony he plessis direct, the Cannone, with the furnitor, presentlie being in the Northe.

Item, For observatione of the articles above writtine, my Lord of

[1] From the original, in the possession of the Club.

Hwntle sall enter to my Lord Regent, George Lord Gordoun, his soune and apparand air, Adam Gordoun of Achindoun, or Patrik Gordoun, his brother, and Ihone Gordoun of Clunye, eldest soune of umquhill Alexander Gordoun of Strathdone, or any twai of thame, to remane as plaidgeis in wairde in sic places, and for sic space as my Lord Regent sall think ressonablle.

GEORGE, ERLL OFF HWNTLY.

Articles to be performit to my Lord of Hwntlie be my Lord Regentt, the wther articules befoir writtin being performit be him.

Item, My Lord of Hwntle sall hawe a remissione to himself, his brether, and houssald servands, to all his tennands dowalland on his proper landis, and to sic his wassallis as halds no lands of the King, and halds the maist part of thair lands of him, for all crymis bygane sen the xi day of Junij, the yeir of God jaj v^{c} lxvij yeris (witchecraft, incest, murther, slauchter, fyre rasinge, rawesing of wemen, theft, and reset of theft, exceppit), my Lord of Hwntly payand to my Lord Regentt, or ony wtheris in his naime, sic soumes of money, at sic times of payment, as has bein speciale spockine and condescendit upoune betuixt my Lord of Hwntly, the Erlle of Atholl, my Lord Hwyme, and the Secretar.

Item, As my Lord Regent for establesinge of the Kingis obedience and comoune peax and tranquillite of this reallme, hes thus favorablle usit my Lord Hwntleis self, sa upone the same respects my Lord Regent is not myndit to wrak the wther personis that hes takin pairt and assistit the saids Erlle of Hwntlie, or schawine thame selfis disobedient to the Kingis authorate in the north of Scotland in tymes past, in their lyfis nor landis. Bot in caiss of their submissione and treow obedience to be offerit and maid be thame, sall grant to ewery ane of thame a remissione in particular for the crymis forsads, and that for resonablle compositionis to be payit be thame to my Lord Regent, or to our Soverane Lord's thesaurar in his naime, upon ewerilk mannis awyne suite. Provyding that thai quhilk dowallis within the shreffdome off Aberdeine and Banf mak thair submissione befoir the v day of Junij nixt to cum; within the shreffdome of Algin and Forresst befoir the xi day of the saids monethe; and

all personis within the shreffdome of Nayrne and Innernis befoir the xviij day of the said monethe

Item, In consideracione of my Lord of Hwntleis guid will and eyrnestnes to satefe all personis that hes ressavit skaithe in thair guidds duringe the tyme of the lait trubles and emotione, and that the danger mai be gryt gif ony personis presentle not sateisfeit sall call him and his freinds and servands heirefter for spwllze, thairfor my Lord Regentis Grace permittis to labor and obteine of the thre estatis at the nixt parliament a descardge, in forme of act, to the said Erlle of Hwntlye, and all his assistars and pairtackars for all actionis civile of spwwlzeis, reiffis, or oppressions committit be thame upone the occatione of the common caus in serving as pretendit Lieutennant to the Quenis grace, our Soverane Lords mother, fre the first day of Agust, 1568, to the last of Marche, 1569. To the effect that naine of thame be callit or persewit thairefter for ony thing attemptat duringe the said space; and in the meyntyme sall caus persuite ceiss civilie, for the caussis forsadis.

Item, My Lord Regent sall gif ane sufficent discardge to my Lord of Hwntle of intrometting with the Kingis properte and causauliliteis within the boundis of his Lieuteinenderj within the northe pairtis of Scotland sen the first day of Agust, 1568, to the tent of May, 1569; and als sall labor to obtaine ane discardge of the menisters and thair collectors of his intromissione with the thirds of benefices within the saids bounds duringe the space forsaide, providinge alwais that my Lord of Hwntlye gif his aithe of so mikill as he has intromettit with.

Item, My Lord Regent sall gif to my Lord of Hwntlye ane sufficent discardge, be Act of Parliament, Sessione, or Cunsall, as sal be sufficent for the saids Erllis securite, for halding of cuirteis of justeciare, and wtheris courteis, in the Quenis naime, and decreitis and executionis past thairupone, swai that the said Erlle nor nayne of his sal be trubleit thairfor; and gif ony pairte compleins, that thai be in the samen stait thai ware in afoir the haldinge of the sadis courteis or gevinge off decreitis, gif ony be, sin the first of Agust, 1658, to the x of Maij, 1569.

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..	217	..	14	..	speckis	..	spechis
..	„	..	26	..	Earl	..	Marquis